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Agency for International Development
Agricultural Stabilization and Conservation Service
Air Force Department
Commodity Credit Corporation
Consumer and Marketing Service
Defense Department
Federal Aviation Administration
Federal Communications Commission
Federal Crop Insurance Corporation
Federal Maritime Commission
Federal Power Commission
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Land Management Bureau
Maritime Administration
National Foundation on the Arts and the Humanities
National Park Service
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Transportation Department

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Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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Title 3—THE PRESIDENT

Executive Order 11362

PROVIDING FOR THE USE OF TRANSPORTATION PRIORITIES AND ALLOCATIONS DURING THE CURRENT RAILROAD STRIKE

WHEREAS the current railroad strike has brought to a halt virtually all transportation of persons and things by rail, and the remaining transportation facilities of the nation will be unable to handle all the essential traffic requirements put upon them; and

WHEREAS Section 101(a) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2071(a)) provides that:

"The President is hereby authorized (1) to require that performance under contracts or orders (other than contracts of employment) which he deems necessary or appropriate to promote the national defense shall take priority over performance under any other contract or order, and, for the purpose of assuring such priority, to require acceptance and performance of such contracts or orders in preference to other contracts or orders by any person he finds to be capable of their performance, and (2) to allocate materials and facilities in such manner, upon such conditions, and to such extent as he shall deem necessary or appropriate to promote the national defense."

and

WHEREAS the foregoing powers of the President have been delegated to certain officers of the Government by and pursuant to Executive Order 10480 of August 14, 1953, as amended:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander-in-Chief of the armed forces, including the authority conferred upon me by the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et seq.), it is hereby ordered as follows:

SECTION 1. This order shall constitute a finding in pursuance of section 101(b) of the Defense Production Act of 1950, as amended, with respect to the exercise, as directed by section 2 of this order, of the powers vested in me by section 101(a) of that Act.

SEC. 2. The officers of the Government in whom are vested (by or pursuant to Executive Order 10480, as amended), the allocation and priorities powers of the Defense Production Act of 1950, as amended, shall exercise those powers to accomplish the transportation and delivery of such persons and things as they deem necessary or proper to promote the national defense, including the accomplishment of military requirements, governmental functions, defense production and measures essential to the public health and safety.

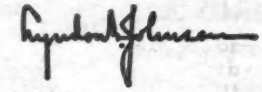
SEC. 3. Notwithstanding any other provision of this order or any other order:

(1) The Secretary of Transportation is directed to determine, with the concurrence of the Director of the Office of Emergency Planning, the proper over-all apportionment and allocation of available transportation capacity.

(2) The Secretary of Transportation, subject to the general policy guidance of the Director of the Office of Emergency Planning, shall exercise centralized direction in the use of transportation priorities to accomplish the purposes of this order.

(3) The Secretary of Transportation shall provide the organization and procedures to carry out the functions under the foregoing provisions of this section.

SEC. 4. This order takes effect at once and shall remain effective until the resumption of rail service makes it unnecessary but in no event more than fifteen days after the termination of the current railroad strike.



THE WHITE HOUSE,
July 16, 1967.

[F.R. Doc. 67-8335; Filed, July 17, 1967; 9:57 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—U.S. Standards for Grades of Orange Juice From Concentrate

A proposal to issue U.S. Standards for Grades of Orange Juice from Concentrate was published in the FEDERAL REGISTER of December 2, 1966 (31 F.R. 15151). In consideration of the data, views, and arguments submitted by interested persons in connection with the aforementioned proposal, a second and revised proposal for issuing U.S. Standards for Grades of Pasteurized Orange Juice was published in the FEDERAL REGISTER of April 21, 1967 (32 F.R. 6284). Interested persons were given until June 1, 1967, in which to submit written data, views, or arguments in connection with this second and revised proposal.

Statement of considerations leading to the issuance of the standards. Following the second and revised proposal of April 21, 1967, adverse comments, received from only one source, suggested lower Brix-acid ratios than those proposed, and a single Brix level for all grades at a lower level than proposed.

These objections and suggestions have been carefully considered. The Department finds, however, that the suggestions, if adopted, would not provide for appropriate differentiation in Orange Juice qualities and would weaken the usefulness of the standards as a basis for trading.

The standards as proposed on April 21, 1967, are hereby adopted without change and are set forth below.

Effective date. These standards shall became effective on August 31, 1967.

Dated: July 12, 1967.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

The standards are:

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.
52.5681 Product description.
52.5682 Styles.
52.5683 Grades.

FILL OF CONTAINER

52.5684 Recommended fill of container.

FACTORS OF QUALITY

Sec.
52.5685 Ascertaining the grade of a sample unit.
52.5686 Ascertaining the rating for the factors which are scored.
52.5687 Color.
52.5688 Defects.
52.5689 Flavor.

EXPLANATIONS AND METHODS OF ANALYSIS

52.5690 Definitions of terms and methods of analysis.

LOT COMPLIANCE

52.5691 Ascertaining the grade of a lot.

SCORE SHEET

52.5692 Score sheet for orange juice from concentrate.

AUTHORITY: The provisions of this subpart issued under secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.5681 Product description.

Orange juice from concentrate is the product defined in the standards of identity (21 CFR 27.111) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.5682 Styles.

(a) Without sweetener.
(b) With sweetener.

§ 52.5683 Grades.

(a) "U.S. Grade A" (or U.S. Fancy) is the quality of orange juice from concentrate that: (1) Shows no coagulation or no material separation and possesses the appearance of fresh orange juice, (2) has a very good color, (3) is practically free from defects, (4) possesses a very good flavor, and (5) scores not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or U.S. Choice) is the quality of orange juice from concentrate that: (1) Shows no coagulation but may show some separation and possesses the appearance of fresh orange juice, (2) has a good color, (3) is reasonably free from defects, (4) possesses a good flavor, and (5) scores not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of orange juice from concentrate that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52. 5684 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be as full of orange juice as practicable.

FACTORS OF QUALITY

§ 52.5685 Ascertaining the grade of a sample unit.

(a) *General.* The grade of a sample unit of orange juice from concentrate is ascertained by considering the degree of any coagulation and separation, and the appearance of the product as compared to fresh juice, which are not scored; the ratings for the factors of color, defects, and flavor which are scored; the total score; and the limiting rules which may be applicable.

(b) *Factors rated by score points.* The relative importance of each scoring factor is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	40
Defects	20
Flavor	40
Total score	100

§ 52.5686 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.5687 Color.

(a) *Evaluation of color.* (1) The color of orange juice from concentrate, where applicable, is evaluated by comparing the color of the product with the USDA Orange Juice Color Standards so that these color standards become points of reference.

(2) Such comparison is made under an artificial light source of approximately 150 candela intensity and having a spectral quality approximating that of daylight under a moderately overcast sky and a color temperature of 7,500 degrees Kelvin, ±200 degrees.

(3) The USDA Orange Juice Color Standards range from yellow-orange to yellow color, with USDA OJ1 being the most orange color in the series.

(b) *Procedure in evaluating color.* (1) Place the juice in a clear glass test tube of 1-inch diameter.

(2) Arrange color standards in a test tube rack or similar device so that light coming from above strikes the standards at a 45 degree angle. The standards are inclined at a 45 degree angle against a neutral grey background. Observe the standards and product at right angles to the tubes.

(3) Classify the juice by inserting the tube of juice where it best fits in the series of color standards. Orange juice differing in color and brightness from the most nearly matching USDA Orange Juice Color Standard is evaluated by considering the amount of difference and its effect on the total appearance of the juice.

(c) *Availability of color standards.* The USDA Orange Juice Color Standards cited in this section are official color standards which may also be applied to other orange juices. Information regarding these color standards, and their availability, may be obtained from:

Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(d) (*A*) *Classification.* Orange juice from concentrate that has a very good color may be given a score of 36 to 40 points. "Very good color" means a very good yellow to yellow-orange color that is bright and typical of fresh orange juice. Orange juice from concentrate that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	*Score (points)*
Equal to or better than USDA OJ 2	40
Equal to or better than USDA OJ 3	39
Much better than USDA OJ 4	38
Equal to or slightly better than USDA OJ 4	37
Equal to or better than USDA OJ 5	36

(e) (*B*) *Classification.* If the juice possesses a good color, a score of 32 to 35 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good color" means that the color is the yellow to yellow-orange color typical of fresh orange juice which may be dull but is not off color for any reason. Orange juice from concentrate that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	*Score (points)*
Better than USDA OJ 6 but not as good as USDA OJ 5	35
Equal to USDA OJ 6	34
Not as good as USDA OJ 6	33 or 32

(f) (*SStd.*) *Classification.* If the juice fails to meet the requirements of paragraph (e) of this section a score of 0 to 31 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5688 Defects.

(a) *General.* The factor of defects concerns the degree of freedom from small seeds and portions thereof; from discolored specks, harmless extraneous material, and other similar defects; from recoverable oil; and from juice sacs and particles of membrane, core, and peel in excess of that normally present in orange juice.

(b) *Definitions.* (1) "Small seeds and portions thereof" means seed, whether fully developed or not, and particles of seed that could pass readily through round perforations one-eighth inch (3.2 mm.) in diameter.

(2) "Recoverable oil" means oil recoverable by the method outlined in this subpart.

(c) (*A*) *Classification.* Orange juice from concentrate that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that any combination of defects present may no more than slightly detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.030 percent by volume of recoverable oil.

(d) (*B*) *Classification.* If the juice is reasonably free from defects, a score of 16 or 17 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that any combination of defects present may not seriously detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.040 percent by volume of recoverable oil.

(e) (*SStd.*) *Classification.* Orange juice from concentrate that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5689 Flavor.

(a) (*A*) *Classification.* Orange juice from concentrate that possesses a very good flavor may be given a score of 36 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style*—(i) *Brix.* Not less than 11.8 degrees.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 19.5:1 except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 11 to 1 nor more than 17 to 1.

(2) *With sweetener style*—(i) *Soluble orange juice solids.* Not less than 11.8 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 19.5:1.

(b) (*B*) *Classification.* If the orange juice from concentrate possesses a good flavor a score of 32 to 35 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style*—(i) *Brix.* Not less than 11.8 degrees.

(ii) *Brix—acid ratio.* Not less than 10.5:1, nor more than 22:1.

(2) *With sweetener style*—(i) *Soluble orange juice solids.* Not less than 11.8 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 10.5:1 nor more than 22:1.

(c) (*SStd.*) *Classification.* If the orange juice fails to meet the requirements of paragraph (b) of this section a score of 0 to 31 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSIS

§ 52.5690 Definitions of terms and methods of analysis.

(a) *Brix.* "Brix" means the degrees Brix of orange juice from concentrate when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) and to which any applicable temperature correction has been made. The degrees Brix may be determined by any other method which gives equivalent results.

(b) *Acid.* "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) *Brix-acid ratio.* "Brix-acid ratio" means the ratio between the Brix and the acid as defined in this section.

(d) *Recoverable oil.* "Recoverable oil" is determined by the following methods:

(1) *Equipment.* (i) Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.[1]

(ii) Gas burner or hot plate;

(iii) Ringstand and clamps;

(iv) Rubber tubing;

(v) Three-liter narrow-neck flask.

(2) *Procedure.* (i) Place exactly 2 liters of juice in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Continue boiling for 1 hour at the rate of approximately 50 drops per minute.

(ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

(iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

LOT COMPLIANCE

§ 52.5691 Ascertaining the grade of a lot.

The grade of a lot of orange juice from concentrate covered by these standards is determined by the procedures set forth

[1] Figures 1 and 2 filed as part of original document.

in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87).

SCORE SHEET

§ 52.5692 Score sheet for orange juice from concentrate.

Size and kind of container			
Container mark (packages) or Identification (cases)			
Label (including ingredient statement, if any)			
Liquid measure (fluid ounces)			
Style			
Brix (degrees)			
Acid (grams/100 ml.: calculated as anhydrous citric acid)			
Brix-acid ratio ( )			
Recoverable oil (% by volume)			
Degree of coagulation	( ) None ( ) Slight ( ) Serious		

Factors	Score points		
Color	40	(A)	36-40
		(B)	[1]32-35
		(SStd.)	[1]0-31
Defects	20	(A)	18-20
		(B)	[1]16-17
		(SStd.)	[1]0-15
Flavor	40	(A)	36-40
		(B)	[1]32-35
		(SStd.)	[1]0-31
Total score	100		
Grade			

[1] Indicates limiting rule.

[F.R. Doc. 67-8232; Filed, July 17, 1967; 8:47 a.m.]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—U.S. Standards for Grades of Pasteurized Orange Juice

A proposal to issue U.S. Standards for Grades of Pasteurized Orange Juice was published in the FEDERAL REGISTER of December 2, 1966 (31 F.R. 15149). In consideration of the data, views, and arguments submitted by interested persons in connection with the aforementioned proposal, a second and revised proposal for issuing U.S. Standards for Grades of Pasteurized Orange Juice was published in the FEDERAL REGISTER of April 21, 1967 (32 F.R. 6286). Interested persons were given until June 1, 1967, in which to submit written data, views, or arguments in connection with this second and revised proposal.

Statement of considerations leading to the issuance of the standards. Following the second and revised proposal of April 21, 1967, adverse comments, received from only one source, suggested lower Brix-acid ratios than those proposed, and a single Brix level for all grades.

These objections and suggestions have been carefully considered. The Department finds, however, that the suggestions, if adopted, would not provide for appropriate differentiation in Orange Juice qualities and would weaken the usefulness of the standards as a basis for trading.

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Dated: July 12, 1967.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

The standards are:

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.
52.5641 Product description.
52.5642 Styles.
52.5643 Grades.

FILL OF CONTAINER

52.5644 Recommended fill of container.

FACTORS OF QUALITY

52.5645 Ascertaining the grade of a sample unit.
52.5646 Ascertaining the rating for the factors which are scored.
52.5647 Color.
52.5648 Defects.
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EXPLANATIONS AND METHODS OF ANALYSIS

52.5650 Definitions of terms and methods of analysis.

LOT COMPLIANCE

52.5651 Ascertaining the grade of a lot.

SCORE SHEET

52.5652 Score sheet for pasteurized orange juice.

AUTHORITY: The provisions of this subpart issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.5641 Product description.

Pasteurized orange juice is the product defined in the standards of identity (21 CFR 27.107) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.5642 Styles.

(a) Without sweetener;
(b) With sweetener.

§ 52.5643 Grades.

(a) "U.S. Grade A" (or U.S. Fancy) is the quality of pasteurized orange juice that: (1) Shows no coagulation or no material separation and has the appearance of fresh orange juice, (2) has a very good color, (3) is practically free from defects, (4) possesses a very good flavor, and (5) scores not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or U.S. Choice) is the quality of pasteurized orange juice that: (1) Shows no coagulation but may show some separation and has the appearance of fresh orange juice, (2) has a good color, (3) is reasonably free from defects, (4) possesses a good flavor, and (5) scores not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of pasteurized orange juice that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52.5644 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be as full of orange juice as practicable.

FACTORS OF QUALITY

§ 52.5645 Ascertaining the grade of a sample unit.

(a) *General.* The grade of a sample unit of pasteurized orange juice is ascertained by considering the degree of any coagulation and separation, and the appearance of the product as compared to fresh juice which are not scored; the ratings for the factors of color, defects, and flavor which are scored; the total score; and the limiting rules which may be applicable.

(b) *Factors rated by score points.* The relative importance of each scoring factor is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factor	Points
Color	40
Defects	20
Flavor	40
Total score	150

§ 52.5646 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.5647 Color.

(a) *Evaluation of color.* (1) The color of pasteurized orange juice, where applicable, is evaluated by comparing the color of the product with the USDA Orange Juice Color Standards so that these color standards become points of reference.

(2) Such comparison is made under an artificial light source of approximately 150 candela intensity and having a spectral quality approximating that of daylight under a moderately overcast sky and a color temperature of 7,500 degrees Kelvin, ±200 degrees.

(3) The USDA Orange Juice Color Standards range from yellow-orange to yellow color, with USDA OJ 1 being the most orange color in the series.

(b) *Procedure in evaluating color.* (1) Place the juice in a clear glass test tube of 1-inch diameter.

(2) Arrange color standards in a test tube rack or similar device so that light coming from above strikes the standards at a 45 degree angle. The standards are inclined at a 45 degree angle against

a neutral grey background. Observe the standards and product at right angles to the tubes.

(3) Classify the juice by inserting the tube of juice where it best fits in the series of color standards. Orange juice differing in color and brightness from the most nearly matching USDA Orange Juice Color Standard is evaluated by considering the amount of difference and its effect on the total appearance of the juice.

(c) *Availability of color standards.* The USDA Orange Juice Color Standards cited in this section are official color standards which may also be applied to other orange juices. Information regarding these color standards, and their availability, may be obtained from:

Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(d) (*A*) *Classification.* Pasteurized orange juice that has a very good color may be given a score of 36 to 40 points. "Very good color" means a very good yellow to yellow-orange color that is bright and typical of fresh orange juice. Pasteurized orange juice that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Equal to or better than USDA OJ 2	40
Equal to or better than USDA OJ 3	39
Much better than USDA OJ 4	38
Equal to or slightly better than USDA OJ 4	37
Equal to or better than USDA OJ 5	36

(e) (*B*) *Classification.* If the juice has a good color, a score of 32 to 35 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good color" means that the color is the yellow to yellow-orange color typical of fresh orange juice which may be dull but is not off color for any reason. Pasteurized orange juice that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Better than USDA OJ 6 but not as good as USDA OJ 5	35
Equal to USDA OJ 6	34
Not as good as USDA OJ 6	33 or 32

(f) (*SStd.*) *Classification.* If the pasteurized juice fails to meet the requirements of paragraph (e) of this section a score of 0 to 31 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5648 Defects.

(a) *General.* The factor of defects concerns the degree of freedom from small seeds and portions thereof; from discolored specks, harmless extraneous material, and other similar defects; from recoverable oil; and from juice sacs and particles of membrane, core, and peel in excess of that normally present in orange juice.

(b) *Definitions.* (1) "Small seeds and portions thereof" means seed, whether fully developed or not, and particles of seed that could pass readily through round perforations one-eight inch (3.2 mm.) in diameter.

(2) "Recoverable oil" means oil recoverable by the method outlined in this subpart.

(c) (*A*) *Classification.* Pasteurized orange juice that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that any combination of defects present may no more than slightly detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.030 percent by volume of recoverable oil.

(d) (*B*) *Classification.* If the pasteurized juice is reasonably free from defects, a score of 16 or 17 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that any combination of defects present may not seriously detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.040 percent by volume of recoverable oil.

(e) (*SStd.*) *Classification.* Pasteurized orange juice that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5649 Flavor.

(a) (*A*) *Classification.* Pasteurized orange juice that possesses a very good flavor may be given a score of 36 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style*—(i) *Brix.* Not less than 11 degrees.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 19.5:1 except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 11 to 1 nor more than 17 to 1.

(2) *With sweetener style*—(i) *Soluble orange juice solids.* Not less than 11 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 19.5:1.

(b) (*B*) *Classification.* If the pasteurized orange juice possesses a good flavor a score of 32 to 35 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style*—(i) *Brix.* Not less than 10.5 degrees.

(ii) *Brix—acid ratio.* Not less than 10:1 nor more than 22:1.

(2) *With sweetener style*—(i) *Soluble orange juice solids.* Not less than 10.5 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 10:1 nor more than 22:1.

(c) (*SStd.*) *Classification.* Pasteurized orange juice that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 31 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

Explanations and Methods of Analysis

§ 52.5650 Definitions of terms and methods of analysis.

(a) *Brix.* "Brix" means the degrees Brix of pasteurized orange juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) and to which any applicable temperature correction has been made. The degrees Brix of pasteurized orange juice may be determined by any other method which gives equivalent results.

(b) *Acid.* "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of pasteurized orange juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) *Brix-acid ratio.* "Brix-acid ratio" means the ratio between the Brix and the acid as defined in this section.

(d) *Recoverable oil.* "Recoverable oil" is determined by the following methods:

(1) *Equipment.* (i) Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.[2]

(ii) Gas burner or hot plate;

(iii) Ringstand and clamps;

(iv) Rubber tubing;

(v) Three-liter narrow-neck flask.

(2) *Procedure.* (i) Place exactly 2 liters of juice in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Continue boiling for 1 hour at the rate of approximately 50 drops per minute.

(ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

(iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

Lot Compliance

§ 52.5651 Ascertaining the grade of a lot.

The grade of a lot of pasteurized orange juice covered by these standards

[2] Figures 1 and 2 filed as part of original document.

is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87).

SCORE SHEET

§ 52.5652 Score sheet for pasteurized orange juice.

Size and kind of container			
Container mark (packages) or Identification (cases)			
Label (including ingredient statement, if any)			
Liquid measure (fluid ounces)			
Style			
Brix (degrees)			
Acid (grams/100 ml.; calculated as anhydrous citric acid)			
Brix-acid ratio ( )			
Recoverable oil (% by volume)			
Degree of coagulation	( ) None ( ) Slight ( ) Serious		

Factors	Score points		
Color	40	(A) 36–40 (B) [1] 32–35 (SStd.) [1] 0–31	
Defects	20	(A) 18–20 (B) [1] 16–17 (SStd.) [1] 0–15	
Flavor	40	(A) 36–40 (B) [1] 32–35 (SStd.) [1] 0–31	
Total score	100		
Grade			

[1] Indicates limiting rule.

[F.R. Doc. 67-8233; Filed, July 17, 1967; 8:47 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 94]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

SUGAR BEETS

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1967 crop year in the following respects:

1. The portion of the table following paragraph (a) of §401.3 of this chapter under the heading "Sugar Beets" is amended effective beginning with the 1967 crop year by inserting the following immediately above the portion of the table pertaining to "Michigan, Minnesota, Montana, and North Dakota."

(Closing date)	
SUGAR BEETS	
California	Aug. 31

2. In section 4 of the sugar beet endorsement shown in § 401.43 of this chapter, the table at the end thereof is amended effective beginning with the 1967 crop year by inserting the following line immediately above the portion of the table pertaining to "Michigan":

California	July 15

3. The first sentence of section 3(b) of the sugar beet endorsement shown in § 401.43 of this chapter is amended effective beginning with the 1967 crop year to read as follows:

The production guarantees per acre are progressive as follows: (1) First stage—any acreage not thinned, (2) second stage—after acreage is thinned and through July 1 (Dec. 31 in California), (3) third stage—after July 1 (Dec. 31 in California) until harvested, or (4) fourth stage—acreage harvested.

4. Section 8 of the sugar beet endorsement shown in § 401.43 of this chapter is amended effective beginning with the 1967 crop year to read as follows:

8. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date and termination date for indebtedness are the following applicable dates immediately preceding the beginning of the crop year for which the cancellation or termination is to become effective: *Provided, however,* That the portion of item (1) in section 15(a) of the policy which reads "except the premium due on a crop of such agricultural commodity normally harvested in the calendar year in which such earlier date occurs," shall not be applicable with respect to sugar beet crop insurance in any county in California.

State	Cancellation date	Termination date for indebtedness
California	June 30	Aug. 31
Michigan, Minnesota, Montana, and North Dakota.	Dec. 31	Apr. 15
Ohio	Dec. 31	Mar. 31
All other States	Dec. 31	Mar. 15

5. Section 7 of the sugar beet endorsement shown in § 401.43 of this chapter is amended effective beginning with the 1967 crop year by adding the following subsection (c) thereto:

(c) "Crop year," notwithstanding section 21(e) of the policy, means the period within which the insured sugar beet crop is normally planted and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested: *Provided, however,* That in all counties in California where sugar beet crop insurance is offered, the crop year shall be designated by reference to the calendar year in which the crop is normally planted.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on July 12, 1967.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on July 12, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-8247; Filed, July 17, 1967; 8:45 a.m.]

Chapter VI—Soil Conservation Service, Department of Agriculture

PART 601—GREAT PLAINS CONSERVATION PROGRAM

Subpart—General Program Provisions

ELIGIBLE CONSERVATION PRACTICES

Correction

In F.R. Doc. 67-7961 appearing in the issue for Tuesday, July 11, 1967, on page 10155, in the third column, the last two lines of § 601.11(b)(1) which read "Administrator, SCS, and the Administrafor approval.", should read "Administrator, ASCS, to the Secretary for approval."

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 815.8, Amdt. 2]

PART 815—ALLOTMENT OF DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

1967

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (hereinafter called the "Act") for the purpose of amending Sugar Regulation 815.8 (32 F.R. 40,6550), which established allotments of the direct-consumption portion of the 1967 mainland quota for Puerto Rico.

This amendment of S.R. 815.8 is necessary to give effect to the direct-consumption portion of the 1967 mainland quota for Puerto Rico amounting to 162,000 short tons, raw value, as established in Sugar Regulation 811, Amendment 10 (32 F.R. 9949). That quantity is 6,000 tons greater than the 156,000 short tons, raw value, previously allotted.

Findings heretofore made by the Secretary in the course of this proceeding (32 F.R. 40) provide that this order shall be revised without further notice or hearing for the purpose indicated above and such findings set forth the procedure for the revision of allotments.

Accordingly, allotments are herein established on the basis of and consistent with such findings.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with paragraph (c) of § 815.8 of this chapter, it is hereby ordered that paragraph (a) of § 815.8 be amended to read as follows:

§ 815.8 Allotment of the direct-consumption portion of mainland sugar quota for Puerto Rico for the calendar year 1967.

(a) *Allotments.* The direct-consumption portion of the 1967 mainland sugar quota for Puerto Rico, amounting to 162,000 short tons, raw value, is hereby allotted as follows:

Allottee	Direct-consumption allotment (short tons, raw value)
Central Aguirre Sugar Co., a trust	6,793
Central Roig Refining Co.	22,506
Central San Francisco	1,378
Puerto Rican American Sugar Refinery, Inc.	105,803
Western Sugar Refining Co.	25,496
Liquid sugar reserve for persons other than named above	30
Total	162,000

* * * * *

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 205, 207, 209; 61 Stat. 926, 927, 936; 7 U.S.C. 1115, 1117, 1119)

Effective date. Allotments established in this order for all allottees are larger than the allotments previously established. To afford adequate opportunity to plan and to market the additional quantities of sugar in an orderly manner, it is imperative that this amendment becomes effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement in 5 U.S.C. 553 (80 Stat. 378) is impracticable and contrary to the public interest and, consequently, the amendment made herein shall become effective when published in the FEDERAL REGISTER.

Signed at Washington, D.C., this 12th day of July 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-8231; Filed, July 17, 1967; 8:47 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 276]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.576 Lemon Regulation 276.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 10, 1967.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period July 16, 1967, through July 22, 1967, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 232,500 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–9, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 13, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-8230; Filed, July 17, 1967; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1967 Crop Rye Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Crop Rye Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) and the 1966 and Subsequent Crops Rye Supplement (31 F.R. 6406), which contain regulations of a general nature with respect to price support operations, are further supplemented for the 1967 crop of rye as follows:

Sec.
1421.2856 Purpose.
1421.2857 Availability.
1421.2858 Maturity of loans.
1421.2859 Warehouse charges.
1421.2860 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2856 Purpose.

This supplement contains program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) and the 1966 and Subsequent Crop Rye Supplement, and any revisions of amendments thereof, apply to price support loans and purchases with respect to the 1967 crop of rye.

§ 1421.2857 Availability.

A producer desiring a price support loan must request a loan on his eligible rye on or before March 31, 1968. To obtain price support through a sale to CCC, a producer must give the appropriate ASCS county office notice of his intent to sell his eligible rye to CCC on or before April 30, 1968.

§ 1421.2858 Maturity of loans.

Unless demand is made earlier, all loans on rye will mature on April 30, 1968.

§ 1421.2859 Warehouse charges.

Subject to the provisions of § 1421.2847, the schedules of deductions set forth in this section shall apply to rye stored in an approved warehouse operating under the Uniform Grain Storage Agreement and operated by an Eastern common carrier.

(a) *Warehouses approved under the Uniform Grain Storage Agreement.*

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES

Maturity date Apr. 30, 1968	Deduction (cents per bushel)
(1)	
Prior to May 17, 1967	13
May 17–June 13, 1967	12
June 14–July 11, 1967	11
July 12–Aug. 8, 1967	10
Aug. 9–Sept. 5, 1967	9
Sept. 6–Oct. 3, 1967	8
Oct. 4–Oct. 31, 1967	7
Nov. 1–Nov. 28, 1967	6
Nov. 29–Dec. 26, 1967	5
Dec. 27, 1967–Jan. 23, 1968	4
Jan. 24–Feb. 20, 1968	3
Feb. 21–Mar. 19, 1968	2
Mar. 20–Apr. 30, 1968	1

[1] Dates storage charges start, all dates inclusive.

(b) *Warehouses operated by Eastern common carriers.* (1) Eligible rye stored in the following approved Eastern com-

mon carrier warehouses may be placed under loan or offered for sale to CCC:

(i) Canadian National Railway Co., Portland Elevator, Warehouse Code 9-2101, Portland, Maine.

(ii) Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deductions for storage charges.

Maturity date Apr. 30, 1968	Deduction (cents per bushel)
(1)	(2)
Prior to June 26, 1967	16
June 26–July 15, 1967	15
July 16–Aug. 4, 1967	14
Aug. 5–Aug. 24, 1967	13
Aug. 25–Sept. 13, 1967	12
Sept. 14–Oct. 3, 1967	11
Oct. 4–Oct. 23, 1967	10
Oct. 24–Nov. 12, 1967	9
Nov. 13–Dec. 2, 1967	8
Dec. 3–Dec. 22, 1967	7
Dec. 23, 1967–Jan. 11, 1968	6
Jan. 12–Jan. 31, 1968	5
Feb. 1–Feb. 20, 1968	4
Feb. 21–Mar. 11, 1968	3
Mar. 12–Mar. 31, 1968	2
Apr. 1–Apr. 30, 1968	1

[1] Storage commence date, all dates inclusive.

[2] Charges shall be reduced by 2 cents per bushel if producer presents evidence that elevation charges were prepaid.

§ 1421.2860 Support rates.

(a) *Basic terminal rates.* The following rates are to be applied in accordance with § 1421.2849:

Terminal Market	Rate per bushel
Omaha, Nebr	$1.19
Sioux City, Iowa	1.19
Duluth, Minn	1.23
Minneapolis, Minn	1.23
St. Paul, Minn	1.23
Superior, Wis	1.23
Atchison, Kans	1.22
Kansas City, Mo	1.22
St. Joseph, Mo	1.22
Chicago, Ill	1.32
Milwaukee, Wis	1.32
Memphis, Tenn	1.33
St. Louis, Mo	1.33
Galveston, Tex	1.32
Houston, Tex	1.32
Port Arthur, Tex	1.32
Beaumont, Tex	1.32
Long Beach, Calif	1.35
Los Angeles, Calif	1.35
Oakland, Calif	1.35
San Francisco, Calif	1.35
Stockton, Calif	1.35
Wilmington, Calif	1.35
Astoria, Oreg	1.33
Kalama, Wash	1.33
Longview, Wash	1.33
Portland, Oreg	1.33
Seattle, Wash	1.33
Tacoma, Wash	1.33
Vancouver, Wash	1.33
Albany, N.Y	1.46
Baltimore, Md	1.46
New York, N.Y	1.46
Norfolk, Va	1.46
Philadelphia, Pa	1.46

(b) *County support rates.* Basic county support rates are as follows:

ALABAMA

County	Rate per bushel
All counties	$1.17

ARIZONA

All counties	$1.07

ARKANSAS

All counties	$1.05

CALIFORNIA

Colusa	$1.21	Riverside	$1.18
Contra Costa	1.23	San Joaquin	1.25
Glenn	1.21	Shasta	1.11
Kern	1.20	Sierra	1.06
Lassen	1.06	Siskiyou	1.11
Marin	1.23	Sonoma	1.21
Merced	1.23	Stanislaus	1.24
Modoc	1.10	Yuba	1.21
Plumas	1.12		

COLORADO

Baca	$0.93	Phillips	$0.94
Bent	.93	Prowers	.94
Cheyenne	.94	Sedgwick	.94
Kiowa	.93	Yuma	.94
Kit Carson	.94	All other counties	.92
Las Animas	.91		

CONNECTICUT

All counties	$1.16

DELAWARE

All counties	$1.16

FLORIDA

All counties	$1.22

GEORGIA

All counties	$1.22

IDAHO

Ada	$1.06	Gem	$1.06
Adams	1.06	Gooding	1.03
Bannock	.98	Idaho	1.09
Bear Lake	.95	Jefferson	.95
Benewah	1.11	Jerome	1.03
Bingham	.96	Kootenai	1.11
Blaine	1.00	Latah	1.11
Boise	1.06	Lemhi	.95
Bonner	1.05	Lewis	1.09
Bonneville	.95	Lincoln	1.02
Boundary	1.04	Madison	.94
Butte	.96	Minidoka	1.02
Camas	1.00	Nez Perce	1.11
Canyon	1.06	Oneida	.98
Caribou	.96	Owyhee	1.06
Cassia	1.01	Payette	1.06
Clark	.94	Power	.99
Clearwater	1.09	Shoshone	1.00
Custer	.96	Teton	.93
Elmore	1.05	Twin Falls	1.01
Franklin	.98	Valley	1.05
Fremont	.93	Washington	1.06

ILLINOIS

Adams	$1.14	Edgar	$1.13
Alexander	1.13	Edwards	1.13
Bond	1.15	Effingham	1.13
Boone	1.19	Fayette	1.13
Brown	1.14	Ford	1.17
Bureau	1.18	Franklin	1.13
Calhoun	1.14	Fulton	1.15
Carroll	1.17	Gallatin	1.08
Cass	1.13	Greene	1.15
Champaign	1.16	Grundy	1.20
Christian	1.13	Hamilton	1.12
Clark	1.12	Hancock	1.13
Clay	1.12	Hardin	1.07
Clinton	1.16	Henderson	1.15
Coles	1.13	Henry	1.16
Cook	1.20	Iroquois	1.19
Crawford	1.12	Jackson	1.12
Cumberland	1.13	Jasper	1.13
De Kalb	1.19	Jefferson	1.20
De Witt	1.14	Jersey	1.15
Douglas	1.14	Jo Daviess	1.15
Du Page	1.20	Johnson	1.07

ILLINOIS—Continued

County	Rate per bushel	County	Rate per bushel
Kane	$1.20	Piatt	$1.14
Kankakee	1.19	Pike	1.14
Kendall	1.19	Pope	1.10
Knox	1.16	Pulaski	1.13
Lake	1.19	Putnam	1.16
La Salle	1.18	Randolph	1.13
Lawrence	1.11	Richland	1.12
Lee	1.19	Rock Island	1.16
Livingston	1.17	Saint Clair	1.16
Logan	1.15	Saline	1.09
McDonough	1.13	Sangamon	1.13
McHenry	1.19	Schuyler	1.14
McLean	1.16	Scott	1.14
Macon	1.14	Shelby	1.13
Macoupin	1.15	Stark	1.16
Madison	1.16	Stephenson	1.18
Marion	1.15	Tazewell	1.14
Marshall	1.17	Union	1.13
Mason	1.13	Vermilion	1.17
Massac	1.12	Wabash	1.14
Menard	1.14	Warren	1.16
Mercer	1.16	Washington	1.13
Monroe	1.15	Wayne	1.15
Montgomery	1.14	White	1.09
Morgan	1.14	Whiteside	1.18
Moultrie	1.14	Will	1.19
Ogle	1.18	Williamson	1.13
Peoria	1.16	Winnebago	1.19
Perry	1.13	Woodford	1.16

INDIANA

Adams	$1.07	Lawrence	$1.08
Allen	1.08	Madison	1.08
Bartholomew	1.06	Marion	1.07
Benton	1.13	Marshall	1.10
Blackford	1.09	Martin	1.07
Boone	1.07	Miami	1.10
Brown	1.05	Monroe	1.11
Carroll	1.11	Montgomery	1.09
Cass	1.11	Morgan	1.06
Clark	1.04	Newton	1.16
Clay	1.10	Noble	1.08
Clinton	1.10	Ohio	1.07
Crawford	1.14	Orange	1.12
Daviess	1.05	Owen	1.06
Dearborn	1.07	Parke	1.08
Decatur	1.06	Perry	1.14
De Kalb	1.08	Pike	1.11
Delaware	1.07	Porter	1.14
Dubois	1.15	Posey	1.10
Elkhart	1.10	Pulaski	1.12
Fayette	1.07	Putnam	1.07
Floyd	1.13	Randolph	1.08
Fountain	1.08	Ripley	1.05
Franklin	1.08	Rush	1.07
Fulton	1.11	Saint Joseph	1.10
Gibson	1.11	Scott	1.04
Grant	1.09	Shelby	1.07
Greene	1.06	Spencer	1.14
Hamilton	1.07	Starke	1.11
Hancock	1.07	Steuben	1.08
Harrison	1.13	Sullivan	1.10
Hendricks	1.07	Switzerland	1.05
Henry	1.08	Tippecanoe	1.10
Howard	1.10	Tipton	1.09
Huntington	1.08	Union	1.07
Jackson	1.04	Vanderburgh	1.16
Jasper	1.14	Vermillion	1.17
Jay	1.08	Vigo	1.15
Jefferson	1.04	Wabash	1.10
Jennings	1.06	Warren	1.13
Johnson	1.06	Warrick	1.16
Knox	1.03	Washington	1.02
Kosciusko	1.10	Wayne	1.08
Lagrange	1.09	Wells	1.07
Lake	1.17	White	1.13
La Porte	1.12	Whitley	1.09

IOWA

Adair	$1.01	Black Hawk	$1.05
Adams	1.02	Boone	1.01
Allamakee	1.05	Bremer	1.04
Appanoose	1.07	Buchanan	1.05
Audubon	1.01	Buena Vista	.98
Benton	1.06	Butler	1.04

Iowa—Continued

County	Rate per bushel	County	Rate per bushel
Calhoun	$1.00	Linn	$1.07
Carroll	1.00	Louisa	1.06
Cass	1.00	Lucas	1.04
Cedar	1.08	Lyon	.98
Cerro Gordo	1.00	Madison	1.03
Cherokee	.98	Mahaska	1.05
Chickasaw	1.04	Marion	1.05
Clarke	1.04	Marshall	1.04
Clay	.99	Mills	1.02
Clayton	1.06	Mitchell	1.01
Clinton	1.09	Monona	1.01
Crawford	1.01	Monroe	1.07
Dallas	1.02	Montgomery	1.02
Davis	1.08	Muscatine	1.10
Decatur	1.04	O'Brien	.98
Delaware	1.06	Osceola	.99
Des Moines	1.09	Page	1.02
Dickinson	.99	Palo Alto	.99
Dubuque	1.07	Plymouth	.99
Emmet	1.01	Pocahontas	.98
Fayette	1.06	Polk	1.03
Floyd	1.00	Pottawattamie	1.02
Franklin	1.03	Poweshiek	1.05
Fremont	1.02	Ringgold	1.02
Greene	1.00	Sac	.99
Grundy	1.04	Scott	1.10
Guthrie	1.00	Shelby	1.02
Hamilton	1.02	Sioux	.98
Hancock	1.00	Story	1.03
Hardin	1.03	Tama	1.05
Harrison	1.02	Taylor	1.03
Henry	1.06	Union	1.04
Howard	1.04	Van Buren	1.08
Humboldt	.99	Wapello	1.06
Ida	.99	Warren	1.04
Iowa	1.06	Washington	1.06
Jackson	1.11	Wayne	1.08
Jasper	1.04	Webster	1.00
Jefferson	1.07	Winnebago	1.01
Johnson	1.08	Winneshiek	1.05
Jones	1.08	Woodbury	1.00
Keokuk	1.05	Worth	1.01
Kossuth	1.00	Wright	1.00
Lee	1.10		

Kansas

Allen	$1.05	Harper	$1.02
Anderson	1.05	Harvey	1.03
Atchison	1.05	Haskell	.97
Barber	1.01	Hodgeman	1.00
Barton	1.01	Jackson	1.05
Bourbon	1.05	Jefferson	1.05
Brown	1.05	Jewell	1.03
Butler	1.08	Johnson	1.05
Chase	1.05	Kearny	.96
Chautauqua	1.05	Kingman	1.03
Cherokee	1.05	Kiowa	1.01
Cheyenne	.96	Labette	1.05
Clark	.98	Lane	.98
Clay	1.04	Leavenworth	1.05
Cloud	1.04	Lincoln	1.02
Coffey	1.06	Linn	1.05
Comanche	.99	Logan	.97
Cowley	1.08	Lyon	1.06
Crawford	1.05	McPherson	1.03
Decatur	.99	Marion	1.03
Dickinson	1.03	Marshall	1.05
Doniphan	1.05	Meade	.97
Douglas	1.08	Miami	1.05
Edwards	1.01	Mitchell	1.03
Elk	1.06	Montgomery	1.05
Ellis	1.01	Morris	1.05
Ellsworth	1.02	Morton	.94
Finney	.97	Nemaha	1.05
Ford	1.00	Neosho	1.05
Franklin	1.05	Ness	1.00
Geary	1.05	Norton	1.01
Gove	.98	Osage	1.05
Graham	1.01	Osborne	1.02
Grant	.96	Ottawa	1.03
Gray	.98	Pawnee	1.01
Greeley	.96	Phillips	1.01
Greenwood	1.05	Pottawatomie	1.05
Hamilton	.96	Pratt	1.01

Kansas—Continued

County	Rate per bushel	County	Rate per bushel
Rawlins	$0.97	Smith	$1.02
Reno	1.02	Stafford	1.01
Republic	1.03	Stanton	.95
Rice	1.02	Stevens	.96
Riley	1.05	Sumner	1.03
Rooks	1.01	Thomas	.97
Rush	1.01	Trego	1.00
Russell	1.01	Wabaunsee	1.05
Saline	1.03	Wallace	.96
Scott	.97	Washington	1.04
Sedgwick	1.03	Wichita	.96
Seward	.96	Wilson	1.05
Shawnee	1.05	Woodson	1.05
Sheridan	.98	Wyandotte	1.05
Sherman	.96		

Kentucky

All counties	$1.16

Louisiana

All counties	$1.07

Maine

All counties	$1.16

Maryland

All counties	$1.16

Massachusetts

All counties	$1.16

Michigan

Alcona	$0.98	Lenawee	$1.11
Alger	.99	Livingston	1.08
Allegan	1.07	Luce	.95
Arenac	1.02	Mackinac	.95
Barry	1.08	Macomb	1.09
Bay	1.04	Manistee	1.00
Benzie	.96	Marquette	.99
Berrien	1.10	Mason	1.02
Branch	1.09	Mecosta	1.04
Calhoun	1.10	Menominee	1.03
Cass	1.10	Midland	1.04
Chippewa	.95	Missaukee	1.00
Clare	1.02	Monroe	1.11
Clinton	1.06	Montcalm	1.05
Crawford	.98	Muskegon	1.05
Delta	1.01	Newaygo	1.04
Dickinson	1.02	Oakland	1.08
Eaton	1.08	Oceana	1.04
Genesee	1.07	Ogemaw	1.00
Gladwin	1.02	Ontonagon	.98
Gogebic	.99	Osceola	1.02
Grand Traverse	.98	Oscoda	.98
Gratiot	1.06	Otsego	1.06
Hillsdale	1.10	Roscommon	1.00
Huron	1.07	Saginaw	1.06
Ingham	1.08	Saint Clair	1.09
Ionia	1.06	Saint Joseph	1.09
Iosco	1.00	Sanilac	1.07
Iron	.99	Schoolcraft	.95
Isabella	1.04	Shiawassee	1.07
Jackson	1.10	Tuscola	1.07
Kalamazoo	1.09	Van Buren	1.09
Kalkaska	.98	Washtenaw	1.09
Kent	1.06	Wayne	1.09
Lake	1.02	Wexford	1.00
Lapeer	1.07	All Other Counties	.96

Minnesota

Aitkin	$1.12	Cottonwood	$1.08
Anoka	1.11	Crow Wing	1.11
Becker	1.05	Dakota	1.11
Beltrami	1.07	Dodge	1.11
Benton	1.11	Douglas	1.09
Big Stone	1.07	Faribault	1.10
Blue Earth	1.11	Fillmore	1.08
Brown	1.10	Freeborn	1.10
Carlton	1.12	Goodhue	1.11
Carver	1.11	Grant	1.08
Cass	1.10	Hennepin	1.11
Chippewa	1.09	Houston	1.06
Chisago	1.11	Hubbard	1.07
Clay	1.04	Isanti	1.11
Clearwater	1.06	Itasca	1.12

Minnesota—Continued

County	Rate per bushel	County	Rate per bushel
Jackson	$1.06	Polk	$1.04
Kanabec	1.11	Pope	1.09
Kandiyohi	1.11	Ramsey	1.11
Kittson	.99	Red Lake	1.04
Koochiching	1.05	Redwood	1.10
Lac Qui Parle	1.08	Renville	1.11
Lake of the Woods	1.03	Rice	1.11
Le Sueur	1.11	Rock	1.02
Lincoln	1.06	Roseau	1.00
Lyon	1.08	Saint Louis	1.06
McLeod	1.11	Scott	1.11
Mahnomen	1.04	Sherburne	1.11
Marshall	1.02	Sibley	1.11
Martin	1.09	Stearns	1.11
Meecker	1.11	Steele	1.11
Mille Lacs	1.11	Stevens	1.08
Morrison	1.10	Swift	1.10
Mower	1.10	Todd	1.10
Murray	1.07	Traverse	1.07
Nicollet	1.11	Wabasha	1.11
Nobles	1.04	Wadena	1.09
Norman	1.03	Waseca	1.11
Olmsted	1.11	Washington	1.11
Otter Tail	1.07	Watonwan	1.10
Pennington	1.08	Wilkin	1.06
Pine	1.11	Winona	1.11
Pipestone	1.04	Wright	1.11
		Yellow Medicine	1.09

Mississippi

All counties	$1.16

Missouri

Adair	$1.09	Jefferson	$1.21
Andrew	1.04	Johnson	1.05
Atchison	1.02	Knox	1.09
Audrain	1.11	Laclede	1.14
Barry	1.08	Lafayette	1.07
Barton	1.07	Lawrence	1.08
Bates	1.07	Lewis	1.11
Benton	1.07	Lincoln	1.16
Bollinger	1.17	Linn	1.08
Boone	1.11	Livingston	1.05
Buchanan	1.04	McDonald	1.05
Butler	1.14	Macon	1.09
Caldwell	1.04	Madison	1.18
Callaway	1.12	Maries	1.12
Camden	1.14	Marion	1.11
Cape Girardeau	1.16	Mercer	1.04
Carroll	1.07	Miller	1.09
Carter	1.06	Mississippi	1.13
Cass	1.07	Moniteau	1.09
Cedar	1.07	Monroe	1.11
Chariton	1.09	Montgomery	1.13
Christian	1.07	Morgan	1.08
Clark	1.10	New Madrid	1.14
Clay	1.05	Newton	1.06
Clinton	1.04	Nodaway	1.02
Cole	1.10	Oregon	1.05
Cooper	1.09	Osage	1.11
Crawford	1.18	Ozark	1.07
Dade	1.08	Pemiscot	1.13
Dallas	1.11	Perry	1.18
Daviess	1.07	Pettis	1.07
De Kalb	1.04	Phelps	1.17
Dent	1.16	Pike	1.12
Douglas	1.08	Platte	1.05
Dunklin	1.13	Polk	1.09
Franklin	1.16	Pulaski	1.15
Gasconade	1.13	Putnam	1.02
Gentry	1.04	Ralls	1.12
Greene	1.10	Randolph	1.11
Grundy	1.02	Ray	1.05
Harrison	1.04	Reynolds	1.14
Henry	1.09	Ripley	1.14
Hickory	1.09	Saint Charles	1.19
Holt	1.03	Saint Clair	1.09
Howard	1.10	Saint Francois	1.19
Howell	1.06	Saint Genevieve	1.19
Iron	1.18	Saint Louis	1.20
Jackson	1.06	Saline	1.08
Jasper	1.06		

Missouri—Continued

County	Rate per bushel	County	Rate per bushel
Schuyler	$1.08	Texas	$1.06
Scotland	1.10	Vernon	1.07
Scott	1.15	Warren	1.16
Shannon	1.06	Washington	1.19
Shelby	1.10	Wayne	1.15
Stoddard	1.15	Webster	1.12
Stone	1.06	Worth	1.02
Sullivan	1.03	Wright	1.06
Taney	1.06		

Montana

Beaverhead	$0.94	Madison	$0.99
Big Horn	.81	Meagher	.94
Blaine	.82	Mineral	1.01
Broadwater	.97	Missoula	1.01
Carbon	.91	Musselshell	.89
Carter	.86	Park	.97
Cascade	.91	Petroleum	.85
Chouteau	.88	Phillips	.78
Custer	.82	Pondera	.90
Daniels	.77	Powder River	.80
Dawson	.83	Powell	.99
Deer Lodge	.99	Prairie	.83
Fallon	.85	Ravalli	.98
Fergus	.89	Richland	.82
Flathead	.98	Roosevelt	.81
Gallatin	.99	Rosebud	.85
Garfield	.81	Sanders	1.01
Glacier	.90	Sheridan	.80
Golden Valley	.91	Silver Bow	.99
Granite	.98	Stillwater	.91
Hill	.85	Sweet Grass	.94
Jefferson	.97	Teton	.90
Judith Basin	.88	Toole	.89
Lake	.98	Treasure	.87
Lewis and Clark	.90	Valley	.76
Liberty	.87	Wheatland	.91
Lincoln	.98	Wibaux	.86
McCone	.81	Yellowstone	.91

Nebraska

Adams	$1.02	Harlan	$1.01
Antelope	1.02	Hayes	.95
Arthur	.95	Hitchcock	.96
Banner	.90	Holt	1.01
Blaine	.98	Hooker	.95
Boone	1.02	Howard	1.02
Box Butte	.98	Jefferson	1.05
Boyd	1.02	Johnson	1.05
Brown	.98	Kearney	1.01
Buffalo	1.02	Keith	.95
Burt	1.02	Keya Paha	.98
Butler	1.03	Kimball	.92
Cass	1.05	Knox	1.02
Cedar	1.02	Lancaster	1.05
Chase	.94	Lincoln	.97
Cherry	.95	Logan	.98
Cheyenne	.92	Loup	1.00
Clay	1.03	McPherson	.97
Colfax	1.03	Madison	1.02
Cuming	1.02	Merrick	1.02
Custer	1.00	Morrill	.92
Dakota	1.02	Nance	1.02
Dawes	.90	Nemaha	1.05
Dawson	1.00	Nuckolls	1.03
Deuel	.94	Otoe	1.05
Dixon	1.02	Pawnee	1.05
Dodge	1.03	Perkins	.95
Douglas	1.03	Phelps	1.01
Dundy	.95	Pierce	1.02
Fillmore	1.05	Platte	1.02
Franklin	1.01	Polk	1.02
Frontier	.98	Red Willow	.99
Furnas	1.00	Richardson	1.05
Gage	1.05	Rock	.98
Garden	.93	Saline	1.05
Garfield	1.01	Sarpy	1.04
Gosper	1.00	Saunders	1.04
Grant	.94	Scotts Bluff	.90
Greeley	1.02	Seward	1.04
Hall	1.02	Sheridan	.92
Hamilton	1.02	Sherman	1.02

Nebraska—Continued

County	Rate per bushel	County	Rate per bushel
Sioux	$0.90	Washington	$1.02
Stanton	1.03	Wayne	1.02
Thayer	1.04	Webster	1.02
Thomas	.97	Wheeler	1.02
Thurston	1.02	York	1.03
Valley	1.01		

Nevada

All counties $0.97

New Hampshire

All counties $1.16

New Jersey

All counties $1.16

New Mexico

All counties $0.92

New York

All counties $1.17

North Carolina

All counties $1.20

North Dakota

Adams	$0.91	McLean	$0.90
Barnes	1.00	Mercer	.90
Benson	.93	Monton	.92
Billings	.89	Mountrail	.87
Bottineau	.88	Nelson	.97
Bowman	.90	Oliver	.91
Burke	.86	Pembina	.98
Burleigh	.94	Pierce	.91
Cass	1.01	Ramsey	.95
Cavalier	.94	Ransom	1.01
Dickey	1.01	Renville	.87
Divide	.85	Richland	1.04
Dunn	.89	Rolette	.90
Eddy	.95	Sargent	1.03
Emmons	.95	Sheridan	.92
Foster	.97	Sioux	.93
Golden Valley	.87	Slope	.91
Grand Forks	1.00	Stark	.91
Grant	.92	Steele	.99
Griggs	.99	Stutsman	.97
Hettinger	.91	Towner	.91
Kidder	.94	Traill	1.00
La Moure	.98	Walsh	.99
Logan	.96	Ward	.87
McHenry	.90	Wells	.94
McIntosh	.96	Williams	.85
McKenzie	.83		

Ohio

Adams	$1.09	Hancock	$1.11
Allen	1.10	Hardin	1.11
Ashland	1.12	Harrison	1.12
Ashtabula	1.15	Henry	1.10
Athens	1.11	Highland	1.09
Auglaize	1.09	Hocking	1.11
Belmont	1.12	Holmes	1.12
Brown	1.09	Huron	1.11
Butler	1.09	Jackson	1.09
Carroll	1.12	Jefferson	1.14
Champaign	1.09	Knox	1.12
Clark	1.09	Lake	1.14
Clermont	1.09	Lawrence	1.09
Clinton	1.09	Licking	1.12
Columbiana	1.13	Logan	1.10
Coshocton	1.12	Lorain	1.12
Crawford	1.11	Lucas	1.11
Cuyahoga	1.12	Madison	1.10
Darke	1.09	Mahoning	1.14
Defiance	1.09	Marion	1.11
Delaware	1.11	Medina	1.12
Erie	1.11	Meigs	1.09
Fairfield	1.11	Mercer	1.09
Fayette	1.09	Miami	1.09
Franklin	1.11	Monroe	1.12
Fulton	1.09	Montgomery	1.09
Gallia	1.09	Morgan	1.12
Geauga	1.15	Morrow	1.11
Greene	1.09	Muskingum	1.12
Guernsey	1.12	Noble	1.12
Hamilton	1.09	Ottawa	1.11

Ohio—Continued

County	Rate per bushel	County	Rate per bushel
Paulding	$1.09	Stark	$1.12
Perry	1.11	Summit	1.12
Pickaway	1.10	Trumbull	1.15
Pike	1.09	Tuscarawas	1.12
Portage	1.12	Union	1.11
Preble	1.09	Van Wert	1.09
Putnam	1.16	Vinton	1.11
Richland	1.12	Warren	1.09
Ross	1.10	Washington	1.12
Sandusky	1.11	Wayne	1.12
Scioto	1.09	Williams	1.09
Seneca	1.11	Wood	1.11
Shelby	1.09	Wyandot	1.11

Oklahoma

Adair	$1.01	Le Flore	$0.97
Alfalfa	1.01	Lincoln	1.02
Atoka	1.02	Logan	1.02
Beaver	1.00	Love	1.03
Beckham	1.02	McClain	1.02
Blaine	1.02	McCurtain	.97
Bryan	1.00	McIntosh	1.02
Caddo	1.02	Major	1.00
Canadian	1.02	Marshall	1.02
Carter	1.02	Mayes	1.04
Cherokee	1.02	Murray	1.02
Choctaw	.97	Muckogee	1.02
Cimarron	1.00	Noble	1.01
Cleveland	1.02	Nowata	1.05
Coal	1.02	Okfuskee	1.02
Comanche	1.02	Oklahoma	1.02
Cotton	1.02	Okmulgee	1.02
Craig	1.05	Osage	1.02
Creek	1.02	Ottawa	1.05
Custer	1.01	Pawnee	1.01
Delaware	1.05	Payne	1.02
Dewey	1.00	Pittsburg	1.02
Ellis	1.00	Pontotoc	1.02
Garfield	1.01	Pottawatomie	1.02
Garvin	1.02	Pushmataha	.97
Grady	1.02	Roger Mills	.97
Grant	1.01	Rogers	1.04
Greer	1.02	Seminole	1.02
Harmon	1.02	Sequoyah	1.00
Harper	.99	Stephens	1.02
Haskell	.98	Texas	1.00
Hughes	1.02	Tillman	1.02
Jackson	1.02	Tulsa	1.03
Jefferson	1.02	Wagoner	1.03
Johnston	1.02	Washington	1.05
Kay	1.01	Washita	1.02
Kingfisher	1.02	Woods	1.00
Kiowa	1.02	Woodward	1.00
Latimer	.97		

Oregon

Baker	$1.11	Lake	$1.10
Benton	1.16	Lane	1.14
Clackamas	1.19	Lincoln	1.08
Clatsop	1.14	Linn	1.18
Columbia	1.16	Malheur	1.06
Coos	1.05	Marion	1.20
Crook	1.17	Morrow	1.18
Curry	1.07	Multonomah	1.21
Deschutes	1.17	Polk	1.20
Douglas	1.09	Sherman	1.21
Gilliam	1.19	Tillamook	1.22
Grant	1.17	Umatilla	1.17
Harney	1.03	Union	1.12
Hood River	1.22	Wallowa	1.09
Jackson	1.09	Wasco	1.22
Jefferson	1.19	Washington	1.22
Josephine	1.09	Wheeler	1.17
Klamath	1.10	Yamhill	1.21

Pennsylvania

All counties $1.16

Rhode Island

All counties $1.16

South Carolina

All counties $1.22

SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	$0.98	Jackson	$0.94
Beadle	1.01	Jerauld	.99
Bennett	.93	Jones	.97
Bon Homme	.99	Kingsbury	1.08
Brookings	1.08	Lake	1.02
Brown	1.01	Lawrence	.89
Brule	.99	Lincoln	1.00
Buffalo	.99	Lyman	.98
Butte	.89	McCook	.99
Campbell	.96	McPherson	.98
Charles Mix	.99	Marshall	1.03
Clark	1.03	Meade	.90
Clay	1.00	Mellette	.98
Codington	1.04	Miner	1.01
Corson	.94	Minnehaha	1.01
Custer	.90	Moody	1.03
Davison	.99	Pennington	.92
Day	1.03	Perkins	.92
Deuel	1.01	Potter	.99
Dewey	.93	Roberts	1.05
Douglas	.99	Sanborn	.99
Edmunds	1.00	Shannon	.92
Fall River	.89	Spink	1.02
Faulk	1.00	Stanley	.98
Grant	1.06	Sully	.99
Gregory	1.00	Todd	.98
Haakon	.95	Tripp	.99
Hamlin	1.04	Turner	.98
Hand	1.00	Union	1.00
Hanson	.99	Walworth	.97
Harding	.90	Washabaugh	.94
Hughes	.99	Yankton	.98
Hutchinson	.99	Ziebach	.93
Hyde	.99		

TENNESSEE

All counties	$1.17

TEXAS

County	Rate per bushel	County	Rate per bushel
Archer	$1.02	Hardeman	$1.02
Armstrong	1.02	Hartley	1.00
Bailey	1.02	Haskell	1.02
Baylor	1.02	Hemphill	1.00
Bosque	1.11	Hidalgo	1.06
Bowie	1.06	Hockley	1.02
Briscoe	1.02	Hood	1.08
Brown	1.08	Howard	1.02
Callahan	1.04	Hunt	1.08
Carson	1.02	Jack	1.06
Cass	1.07	Johnson	1.10
Castro	1.02	Jones	1.02
Childress	1.02	Karnes	1.14
Clay	1.04	King	1.02
Cochran	1.02	Knox	1.02
Collin	1.09	Lamb	1.02
Collingsworth	1.02	Lampasas	1.11
Comanche	1.08	Limestone	1.15
Concho	1.08	Lipscomb	1.00
Coryell	1.12	Lubbock	1.02
Cottle	1.02	Lynn	1.02
Dallam	1.00	McCulloch	1.08
Dawson	1.02	McLennan	1.14
Deaf Smith	1.02	Mason	1.08
Denton	1.08	Mitchell	1.02
Dickens	1.02	Montague	1.05
Donley	1.02	Moore	1.00
Eastland	1.06	Motley	1.02
Fannin	1.07	Newton	1.17
Fisher	1.02	Nolan	1.02
Floyd	1.02	Ochiltree	1.00
Foard	1.02	Oldham	1.02
Gaines	1.02	Palo Pinto	1.06
Gillespie	1.09	Parker	1.09
Gray	1.02	Parmer	1.01
Grayson	1.07	Potter	1.02
Hale	1.02	Randall	1.02
Hall	1.02	Reeves	.92
Hamilton	1.09	Roberts	1.00
Hansford	1.00	Runnels	1.04
		San Saba	1.08

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Scurry	$1.02	Terry	$1.02
Sherman	1.00	Wheeler	1.01
Smith	1.12	Wichita	1.03
Stonewall	1.02	Wilbarger	1.02
Swisher	1.02	Wise	1.08
Tarrant	1.10	Yoakum	1.02
Taylor	1.03	Young	1.06

UTAH

All counties	$0.92

VERMONT

All counties	$1.16

VIRGINIA

All counties	$1.16

WASHINGTON

County	Rate per bushel	County	Rate per bushel
Adams	$1.15	Lewis	$1.14
Asotin	1.11	Lincoln	1.14
Benton	1.18	Mason	1.13
Chelan	1.16	Okanogan	1.14
Clallam	1.06	Pacific	1.13
Clark	1.21	Pend Oreille	1.00
Columbia	1.16	Pierce	1.19
Cowlitz	1.18	San Juan	1.16
Douglas	1.15	Skagit	1.16
Ferry	1.10	Skamania	1.21
Franklin	1.17	Snohomish	1.17
Garfield	1.14	Spokane	1.11
Grant	1.16	Stevens	1.08
Grays Harbor	1.13	Thurston	1.15
Island	1.17	Wahkiakum	1.18
Jefferson	1.08	Walla Walla	1.17
King	1.20	Whatcom	1.15
Kitsap	1.12	Whitman	1.12
Kittitas	1.21	Yakima	1.20
Klickitat	1.21		

WEST VIRGINIA

All counties	$1.16

WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	$1.13	Marathon	$1.08
Ashland	1.09	Marinette	1.09
Barron	1.06	Marquette	1.13
Bayfield	1.04	Menominee	1.11
Brown	1.13	Milwaukee	1.19
Buffalo	1.04	Monroe	1.10
Burnett	1.11	Oconto	1.11
Calumet	1.14	Oneida	1.06
Chippewa	1.07	Outagamie	1.13
Clark	1.07	Ozaukee	1.17
Columbia	1.15	Pepin	1.04
Crawford	1.07	Pierce	1.06
Dane	1.16	Polk	1.09
Dodge	1.16	Portage	1.10
Door	1.07	Price	1.06
Douglas	1.09	Racine	1.19
Dunn	1.07	Richland	1.13
Eau Claire	1.07	Rock	1.18
Florence	1.02	Rusk	1.08
Fond Du Lac	1.15	Saint Croix	1.07
Forest	1.07	Sauk	1.15
Grant	1.11	Sawyer	1.05
Green	1.17	Shawano	1.11
Green Lake	1.14	Sheboygan	1.16
Iowa	1.14	Taylor	1.06
Iron	1.05	Trempealeau	1.07
Jackson	1.09	Vernon	1.09
Jefferson	1.17	Vilas	1.06
Juneau	1.12	Walworth	1.18
Kenosha	1.19	Washburn	1.04
Kewaunee	1.10	Washington	1.17
La Crosse	1.08	Waukesha	1.18
Lafayette	1.14	Waupaca	1.12
Langlade	1.09	Waushara	1.13
Lincoln	1.07	Winnebago	1.14
Manitowoc	1.14	Wood	1.09

WYOMING

County	Rate per bushel
All counties	$0.92

(c) *Discounts.* The basic support rate shall be adjusted by discounts as follows: Rye containing more than three-tenths of 1 percent ergot (ergoty rye containing in excess of 1 percent is not eligible for warehouse-storage loans):

Ergot content (percent):	Discount (cents per bushel)
0.31–0.40	1
0.41–0.50	2
0.51–0.60	3
0.61–0.70	4
0.71–0.80	5
0.81–0.90	6
0.91–1.00	7

Rye grading No. 4 on the factor of test weight only:

Test weight (pounds):	Discount (cents per bushel)
51.0–51.9	5
50.0–50.9	10
49.0–49.9	15

Rye grading No. 3 on account of being "thin":

"Thin" rye (percent):	Discount (cents per bushel)
15.1–17.0	1
17.1–19.0	2
19.1–21.0	3
21.1–23.0	4
23.1–25.0	5

Rye grading No. 4 on account of being "thin":

The discounts shall be 5 cents per bushel plus 1 cent for each 2 percent of "thin" rye or fraction thereof, in excess of 25 percent.

	Discount (cents per bushel)
Weed control discount (where required by § 1421.74)	10

Other factors: CCC may establish discounts for quality factors not specified above which affect the value of the rye, such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour, and heating. The discounts established will be based upon the market discounts for the factors at the time the rye is delivered to CCC, as determined by CCC. Producers may obtain schedules of such factors and discounts at ASCS county offices approximately 1 month prior to the loan maturity date.

NOTE: The discounts shall be cumulative except that only one grade discount shall apply.

Effective date: upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 11, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-8170; Filed, July 17, 1967; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 67-EA-17]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On June 17, 1967, Federal Register Document No. 67-6851 was published in the FEDERAL REGISTER (32 F.R. 8710) amending Part 71 of the Federal Aviation Regulations by realigning V-210 between Carrolltown, Pa., and Harrisburg, Pa., via the INT of Carrolltown 096° and Harrisburg 288° True radials. This action is effective August 17, 1967. These radials were selected for aeronautical chart legibility by providing a common intersection with V-501. Subsequent to publication of the document, it was determined that the Harrisburg 289° True radial would provide the required separation from adjacent airways and therefore would be preferable from an air traffic control standpoint. Accordingly, action is taken herein to substitute the Harrisburg 289° True radial for the 288° True radial in the description of V-210.

Since this action results in an airway shift of one degree within presently controlled airspace, it involves a negligible change that is minor in nature and is of little interest to the general public. Therefore, the Administrator has determined that notice and public procedure thereon are unnecessary and that the action may be made effective without regard to the 30 day statutory requirement preceding effectiveness.

In consideration of the foregoing, Federal Register Document No. 67-6851 (32 F.R. 8710) is amended, effective immediately, as hereinafter set forth.

In the description of V-210 "Harrisburg, Pa., 288° radials;" is deleted and "Harrisburg, Pa., 289° radials;" is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 10, 1967.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8225; Filed, July 17, 1967; 8:46 a.m.]

[Airspace Docket No. 66-WE-59]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway Segments

On February 4, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 2452) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airway segments between Hazen, Nev., and Malad City, Idaho.

Interested persons were afforded an opportunity to participate in the proposed rule through the submission of comments. The Air Transport Association of America, and the Aircraft Owners and Pilots Association submitted letters which reflected no objection to the proposed rule making. The other letters of comment received in response to the notice were from persons with an aeronautical interest in the Mount Moses, Nev., area. The general comment contained in these letters was directed toward the nonrulemaking proposal, Airspace case 67-SLC-2-NR, which proposed the decommissioning of the Mount Moses VORTAC. In light of these comments which were directed to the proposal contained in Airspace case 67-SLC-2-NR, the Federal Aviation Administration conducted an informal airspace meeting at Winnemucca, Nev., on April 3, 1967. The attendees at this informal meeting included most of the persons that submitted comments to Airspace Docket No. 66-WE-59. The consensus objection concerned loss of the extensive radio communications provided to VFR off-airway traffic from the Mount Moses mountaintop site, and did not concern the proposed airway alterations contained in the notice of Airspace Docket No. 66-WE-59. From the information and data presented at the informal meeting, the Federal Aviation Administration has determined that it would be in the interest of the aeronautical public to install communications equipment atop Mount Lewis, Nev., which will provide to the off-airway VFR pilots radio communication coverage equal or superior to that supplied by the Mount Moses site. The installation of this communication equipment is expected to be completed by September 1967.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 14, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009, 7252) is amended to read as follows:

1. In V-465 "From Malad City, Idaho," is deleted and "From Elko, Nev., 12 AGL Wells, Nev.; 12 AGL Malad City, Idaho;" is substituted therefor.

2. In V-494 all after "Hazen, Nev., 244° radials;" is deleted and "12 AGL Hazen." is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 6, 1967.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8226; Filed, July 17, 1967; 8:46 a.m.]

[Airspace Docket No. 67-WE-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Designation of Restricted Area and Alteration of Continental Control Area

On May 24, 1967, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (32 F.R. 7599) stating that the Federal Aviation Administration was considering amendments to to Parts 71 and 73 of the Federal Aviation Regulations that would designate a new joint use restricted area near Tonopah, Nev., and include it in the continental control area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all relevant matter presented.

The Air Transport Association objected to the establishment of this new restricted area on the basis that (1) it overlies portions of Federal airway V-244 and jet route J-80, (2) an effort should be made to relocate the restricted area to the southwest to reduce the overlap of V-244 and J-80, and (3) a termination date should be established for the restricted area.

The Atomic Energy Commission is unable to predict a completion date for the test program; therefore, it is not feasible to establish a termination date for the restricted area. However, the FAA will closely monitor the progress of the test program and upon its completion, the restricted area will be revoked.

The possibility of relocating the impact area 30 miles southward was explored, however, extensive ground installations in R-4808 and associated activity precluded this possibility.

The actual closure periods for this restricted area should be brief and infrequent, and since the exact time of rocket firing is not critical and can readily be adjusted, there should be no significant interruption to air traffic on V-244 and J-80.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., August 17, 1967, as hereinafter set forth.

1. In § 71.151 (32 F.R. 2061) "R-4814A Tonopah, Nev." and "R-4814B Tonopah, Nev." are added.

2. In § 73.48 (32 F.R. 2317) Restricted Areas R-4814A and R-4814B at Tonopah, Nev., are added as follows:

R-4814A TONOPAH, NEV.

Boundaries: Beginning at latitude 37°53'-00" N., longitude 116°50'15" W.; thence clockwise via the arc of a circle with a 27-statute-mile radius centered—at latitude 37°47'00" N., longitude 116°21'30" W.; to latitude 37°40'30" N., longitude 116°53'00" W.; to latitude 37°42'00" N., longitude 115°-53'00" W.; to latitude 37°42'00" N., longitude 116°11'00" W.; to latitude 37°53'00" N., longitude 116°11'00" W.; to point of beginning.

Designated altitudes: Surface to FL 240.

Time of designation: Monday through Saturday, as published by NOTAM issued at least 48 hours in advance and upon termination of use.

Controlling agency: Federal Aviation Administration, Salt Lake City ARTC Center.

Using agency: Manager, Atomic Energy Commission, Albuquerque, New Mexico.

R-4814B TONOPAH, NEV.

Boundaries: Beginning at latitude 38°10'-30" N., longitude 116°21'30" W.; thence clockwise via the arc of a circle with a 36-statute-mile radius centered—at latitude 37°53'30" N., longitude 115°48'20" W.; to latitude 37°24'00" N., longitude 115°35'00" W.; to latitude 37°28'00" N., longitude 115°-35'00" W.; to latitude 37°28'00" N., longitude 115°48'00" W.; to latitude 37°33'00" N., longitude 115°48'00" W.; to latitude 37°33'-00" N., longitude 115°53'00" W.; to latitude 37°40'30" N., longitude 115°53'00" W.; thence counterclockwise via the arc of a circle with a 27-statute-mile radius centered—at latitude 37°47'00" N., longitude 116°21'30" W.; to point of beginning.

Designated altitudes: Surface to FL 240.

Time of designation: Monday through Saturday, as published by NOTAM issued at least 48 hours in advance and upon termination of use.

Controlling agency: Federal Aviation Administration, Salt Lake City ARTC Center.

Using agency: Manager, Atomic Energy Commission, Albuquerque, N. Mex.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 10, 1967.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 67-8227; Filed, July 17, 1967; 8:46 a.m.]

[Airspace Docket No. 66-EA-101]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On page 6289 of the FEDERAL REGISTER for April 21, 1967, the Federal Aviation Administration published a proposed rule which would designate a transition area for Palmer, Mass.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed rule is adopted effective 0001 e.s.t. August 17, 1967, without any changes.

(Sec. 307(a) of the Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on June 19, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by adding the following transition area:

PALMER, MASS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 42°13'25" N., 72°18'45" W., of Metropolitan Airport, Palmer, Mass.; within 2 miles each side of the runway 4 centerline extended from the 5-mile radius area to 9 miles northeast of the end of the runway; within 2 miles each side of the runway 22 centerline extended from the 5-mile radius area to 9 miles southwest of the end of the runway, and within 2 miles each side of the 202° bearing from the Palmer, Mass., RBN, 42°13'26" N., 72°18'47" W., extending from the 5-mile radius area to 8 miles south of the RBN, excluding the portion which coincides with the Chicopee Falls, Mass., transition area.

[F.R. Doc. 67-8228; Filed, July 17, 1967; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Importation of Chrysoberyl Cat's-Eye Stones and Manufactures

An authorization is being issued for the importation without a certificate of origin or specific license of chrysoberyl cat's-eye stones and manufactures, provided there has been no interest therein of a designated national.

Subpart B of Part 500, Chapter V of Title 31, § 500.204, Appendix, is amended by adding item (215) as follows:

(215) *Stones, semiprecious and stones, semiprecious, manufactures.* Section 500.204 (a) (3):

Chrysoberyl cat's-eye.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 67-8242; Filed, July 17, 1967; 8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

GLYCEROL ESTER OF WOOD ROSIN

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7L2164) filed by Hercules, Inc., Wilmington, Del. 19899, and other relevant information, has concluded that the food additive regulations providing for the safe use of glycerol ester of wood rosin in chewing gum base, in food, and in the manufacture of food-contact articles should be amended to specify the acid number for the additive as 3 to 9 instead of 5 to 9. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended as follows:

1. Section 121.1059(a) is amended by replacing the item "Glycerol ester of gum or wood rosin" under "Plasticizing Materials (Softeners)" with two new items, as follows:

§ 121.1059 Chewing gum base.

* * * * * *

(a) * * *

MASTICATORY SUBSTANCES	
* * * * * * *	
PLASTICIZING MATERIALS (SOFTENERS)	
* * *	* * *
Glycerol ester of gum rosin	Having an acid number of 5–9, a drop-softening point of 88° C.–96° C., and a color of N or paler. The ester is purified by steam stripping.
Glycerol ester of wood rosin	Having an acid number of 3–9, a drop-softening point of 88° C.–96° C., and a color of N or paler. The ester is purified by steam stripping.
* * *	* * *

2. Section 121.1084(a) is revised to read as follows:

§ 121.1084 Glycerol ester of wood rosin.

* * * * *

(a) It has an acid number of 3 to 9, a drop-softening point of 88° C.–96° C.; and a color of N or paler as determined in accordance with Official Naval Stores Standards of the United States. It is purified by countercurrent steam distillation.

* * * * *

§ 121.2592 [Amended]

3. In § 121.2592 *Rosins and rosin derivatives*, paragraph (a) (3) (i) is amended by changing "5 to 9" to read "3 to 9".

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the per-

son filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1736; 21 U.S.C. 348(c)(1))

Dated: July 7, 1967.

WINTON B. RANKIN,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 67-8241; Filed, July 17, 1967; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 713—NAVAL RESERVE AND MARINE CORPS RESERVE

PART 730—ADMINISTRATIVE DISCHARGES AND RELATED MATTERS CONCERNING SEPARATIONS FROM THE NAVAL SERVICE

Miscellaneous Amendments

Scope and purpose. Parts 713 and 730 are updated to conform with recent amendments to the Bureau of Naval Personnel Manual, distributed to naval commands by Change No. 13, Addendum 1 to the Manual.

1. Section 713.371 is revised to read as follows:

§ 713.371 General promotion policy.

(a) Title 10, U.S. Code, augmented as necessary by Secretary of the Navy Regulations, governs the administration of the promotion of Naval Reserve officers who are specifically excluded from the lineal list of the Navy. Naval Reserve officers on extended active duty except WAVES are promoted in accordance with the provisions of article C-7101 of the Bureau of Naval Personnel Manual. All other officers of the Naval Reserve, specifically TARs, male and women Naval Reserve officers not on extended active duty, women Naval Reserve officers on active duty, Nurse Corps Naval Reserve Officers not on active duty, Naval Reserve officers on temporary active duty and Naval Reserve warrant and chief warrant officers are promoted in accordance with this section.

(b) Except in cases wherein they may be promoted under other provisions of law, officers of the Naval Reserve in an active status will, insofar as practicable, be advanced in grade and, where applicable, in their respective corps in a manner similar to that prescribed for officers of the Regular Navy, and in such numbers for each grade as may be prescribed from time to time by the Secretary of the Navy.

(c) No officer of the Naval Reserve shall be advanced to a higher grade until he has qualified therefor by such mental, moral, professional and physical examinations as the Secretary of the Navy may prescribe.

(d) The number of officers that may be recommended for promotion in any applicable fiscal year will be the number determined to be necessary to provide an equitable opportunity for promotion among succeeding groups of reserve officers and an adequate continuing strength of Reserve officers in an active status, and shall not cause the number of Reserve officers in an active status permanently commissioned in any grade to exceed the prescribed percentile grade distribution.

2. Section 713.372 is revised to read as follows:

§ 713.372 Lineal precedence for promotions.

(a) For purposes of consideration for promotion, male officers of the Naval Reserve will be arranged in a lineal precedence list in each grade and corps, according to dates of commission therein. Each Reserve officer shall have a running mate of the same grade who shall be the line officer, not restricted by law in the performance of duty, on active duty on the lineal list of the Navy, next junior to him.

(b) For purposes of consideration for promotion, women officers of the Naval Reserve will be arranged in a lineal precedence list in each grade and corps, according to dates of commission therein. Each woman Reserve officer shall have a running mate of the same grade who shall be a woman line officer of the Regular Navy, assigned as in paragraph (a) of this section.

(c) For purposes of consideration for promotion, officers of the Nurse Corps of the Naval Reserve will be arranged in a lineal precedence list in each grade, according to dates of commission therein. Each officer of the Nurse Corps of the Naval Reserve shall have a running mate of the same grade, who shall be an officer of the Nurse Corps of the Regular Navy, assigned as in paragraph (a) of this section.

(d) For purposes of consideration for promotion, warrant officers and chief warrant officers of the Naval Reserve will be arranged in a lineal precedence list in each grade W1, CWO (W2), and CWO (W3) according to the dates of warrant or commission, as appropriate.

3. Section 713.373 is revised to read as follows:

§ 713.373 Promotion by seniority on lineal precedence list.

(a) Officers of the Naval Reserve will be promoted in order of their seniority in accordance with provisions of §§ 713.371–713.379d. Officers recommended for promotion in the approved report of a selection board shall be promoted, upon qualification therefor, at as nearly as possible, the same time as their running mates are promoted.

4. Section 713.374 is amended by revising paragraph (c) and adding paragraphs (d) and (e).

§ 713.374 Eligibility for consideration for promotion.

* * * * *

(c) An officer of the Nurse Corps Reserve of any grade higher than ensign shall be eligible for consideration for promotion when she meets the requirements for eligibility established by the Secretary of the Navy and she is senior to the junior officer of the Nurse Corps in the same grade on active duty on the lineal list who has been selected for promotion.

(d) Warrant officers and chief warrant officers of the Naval Reserve will be eligible for consideration for temporary promotion in the Fiscal Year preceding the Fiscal Year in which the following years of service in present grade will have been completed:

CWO (W1) to CWO (W2)—2 years.
CWO (W2) to CWO (W3)—4 years.
CWO (W3) to CWO (W4)—4 years.

(e) For purposes of eligibility for consideration for promotion all officers of the Naval Reserve must be in an active status, as defined in § 713.365. The records of any officers who have been removed from an active status will be withheld from consideration by the selection board. Officers who are transferred from the Inactive Status List to an active status will not be eligible for consideration for promotion for a period of 1 year from the date of removal from the Inactive Status List even though they may otherwise be eligible for such consideration by a selection board.

5. Section 713.375 is revised to read as follows:

§ 713.375 Promotion selection boards.

(a) Excluding the promotion of ensigns to lieutenant (junior grade), no Reserve officer may be promoted except upon the recommendation of a selection board. This is not intended to preclude officers temporarily promoted from permanent promotion to the grade concerned in accordance with 10 U.S.C. 5911.

(b) Selection boards to recommend Reserve officers for promotion are convened by the Secretary of the Navy. Such boards serve until the proceedings of the board have received Presidential approval.

(c) For the purpose of complying with the provisions of paragraphs (a) and (b) of this section, selection boards will be convened by order of the Secretary of the Navy, from time to time, as may be required. Each such board will be composed of not less than 5 officers who are senior in both temporary and permanent grade to those under consideration.

(d) Any officer eligible for consideration for promotion by a selection board has the right to forward through official channels a written communication in-

viting attention to any matter of record in the armed forces concerning himself which he considers important in his case. The communication may not criticize any officer or reflect upon the character, conduct, or motive of any officer. Communications should be addressed to the president of the appropriate selection board, Bureau of Naval Personnel, Washington, D.C. 20370, via the chain of command and must arrive by the time the board convenes.

6. Section 713.376 is added as a new section to read as follows:

§ 713.376 Information furnished a selection board.

(a) Each selection board convened to recommend Naval Reserve officers for promotion is furnished:

(1) The number of officers that may be recommended for promotion.

(2) The names of all officers who are eligible for consideration.

(3) The records of all officers who are eligible for consideration consisting of the following:

(i) The fitness report jacket;

(ii) The selection board jacket (correspondence jacket in cases where an officer's record has not been converted to separate jackets for selection board and correspondence);

(iii) Record of legal proceedings in cases where eligible officers were involved; and

(iv) Health records of individual eligible officers as requested by the selection board concerned.

(b) Missing fitness reports do not prevent any eligible officer from receiving full consideration by a selection board. If reports are missing to a degree to preclude a complete evaluation of an officer's performance, selection boards will request the missing information.

7. Section 713.377 is added as a new section to read as follows:

§ 713.377 Duties of selection boards.

(a) Every officer who is appointed a member of a selection board takes an oath to perform the duties imposed on him as a member of such board without prejudice or partiality.

(b) From among those officers who are eligible for consideration for promotion, each selection board recommends those officers whom it considers best fitted for promotion except that for those eligible male officers and women officers appointed under Section 5581 of Title 10, United States Code, under consideration for promotion to the grade of lieutenant commander or below in the Medical Corps, the Chaplain Corps, the Dental Corps, or the Medical Service Corps, the board recommends those officers whom it considers fitted for promotion. For those eligible women officers of the Naval Reserve, other than officers in the Nurse Corps and officers appointed under Section 5581 or Title 10, United States Code, under consideration for promotion to the grade of Lieutenant, the board recommends those officers whom it considers qualified for promotion.

(c) Selection boards, considering officers above the grade of ensign, also report the names of officers if any, among those eligible for consideration whose reports and records in its opinion indicate their unsatisfactory performance of duty in their present grade and, in their opinion, indicate that they would not satisfactorily perform the duties of a higher grade.

(d) Warrant officer selection boards report the names of chief warrant officers who are eligible for consideration, whose reports and records, in their opinion, establish their unfitness or unsatisfactory performance of duty in the grade in which serving.

(e) The proceedings of a selection board are conducted in strict confidence and may not be divulged by the members of the board or by the recorder except as authorized by the Secretary of the Navy. No permanent records are maintained of the evaluations by the boards of an individual officer; therefore, it is not possible to advise officers of the reasons for failure of selection.

8. Part 713 is amended by adding §§ 713.378 to 713.379d to read as follows:

§ 713.378 Promotion lists.

(a) Naval Reserve officers who are recommended for promotion in the report of a selection board convened as specified in § 713.375 are considered as selected for promotion upon Presidential approval of the report of the selection board. The names of these officers are placed on the promotion list of officers of their grade in the order of their seniority, junior to all other officers recommended by selection boards convened in earlier fiscal years.

(b) A Naval Reserve officer who is recommended for promotion by a selection board convened under Chapter 549, Title 10, United States Code, who is placed on extended active duty before he is promoted, may be promoted even though he is on active duty at the time of promotion.

(c) A Naval Reserve officer who is recommended for promotion by a selection board convened under the provisions of Chapter 543, Title 10, United States Code, and who is removed from a lineal list (released from active duty or transferred to the TAR (training and administration of the Naval Reserve) program) before he is promoted, may be promoted without reselection under the provisions of Chapter 549, Title 10, United States Code, even though he was on a lineal list when selected for promotion.

(d) Removal from an active status: A Naval Reserve officer recommended for promotion by a selection board who, at the time he otherwise would be promoted, has been removed from an active status may not be promoted. If such officer is returned to an active status his name may not be placed on a promotion list until subsequently recommended for promotion by another selection board and shall be treated as if he had not been considered for promotion by the selection board that last considered him.

§ 713.379 Professional and physical qualifications.

(a) Officers whose names are placed on a promotion list will have been certified professionally and morally qualified by the selection board.

(b) The physical standards for promotion of Reserve officers of the Navy shall be the same as those which are prescribed for retention in the Naval Reserve.

(c) Commands holding the service records of selectees will receive copies of promotion lists and will certify physical qualifications to the Chief of Naval Personnel (Pers-B83).

(d) Reserve officers of the Navy who are selected for promotion by selection boards while their names are on a lineal list but whose release from active duty occurs prior to their being promoted will not require physical qualification certification from service record custodians as the physical examination conducted upon release from active duty will suffice.

§ 713.379a Appointment of selectees.

(a) When their running mates become eligible for promotion, and upon receipt of certification of physical qualifications, selectees will be appointed.

(b) Appointments will be forwarded via the command holding the appointee's service record. All such appointments will be considered accepted upon issuance unless expressly declined; however, the officer must accept or decline the appointment on the form provided.

§ 713.379b Temporary and permanent appointments.

(a) If the promotion of the running mate of a Reserve officer is made by temporary appointment, the promotion of the Reserve officer will be made by temporary appointment. If the running mate's temporary appointment is terminated (for reasons other than disciplinary) and he reverts to a lower grade, the Reserve officer's temporary appointment is terminated and he reverts to the same lower grade in the same manner as his running mate and with corresponding rank. If the running mate is permanently appointed to the grade in which he is serving under a temporary appointment, the Reserve officer shall be permanently appointed to the grade in which he is serving under a temporary appointment.

§ 713.379c Failure of selection and promotion.

(a) A male officer of the Naval Reserve, or a woman officer appointed under the provisions of section 5581, Title 10, United States Code, who is in a promotion zone established under Chapter 549, Title 10, United States Code, whose name is furnished to the appropriate selection board, and who is not selected for promotion, is considered as having failed of selection for promotion.

§ 713.379d Promotion of ensigns to lieutenant (junior grade).

(a) Upon completion of the service in grade computed from date of rank, equal to the service in grade requirement for

their Regular Navy contemporaries, ensigns of the Naval Reserve on inactive duty in an active status will be issued appointments to the grade of lieutenant (junior grade). Service record custodians of ensigns in an active status shall inform the Chief of Naval Personnel (Pers B83) at least 30 days prior to the completion of the required time in grade if any such officer is not professionally, morally, and physically qualified for promotion. Ensigns assigned 19X5 designators are not eligible for promotion.

9. Section 730.8 is amended by revising paragraphs (b) and (h) (2) (ii), (iii) to read as follows:

§ 730.8 Discharge or release to inactive duty for reasons of dependency and hardship.

* * * * *

(b) Enlisted personnel who desire to request discharge or release to inactive duty, as appropriate, for dependency or hardship reasons shall be informed of the proper procedure to follow. It should be clearly explained to each applicant that a request shall be submitted via official channels and that submission of a request is no assurance that discharge or release to inactive duty will be authorized. Each such request received will be carefully and sympathetically considered and a final decision will be based upon its individual merits. It should be further explained to the individual, prior to submission of his request for discharge, or when a request for hardship discharge is included as an alternative in a request for Humanitarian shore duty, that such a request, once approved by the Chief of Naval Personnel is irrevocable, except in the most unusual circumstances. In instances of this nature it will be necessary for the individual to submit a request for cancellation of discharge authority to the Chief of Naval Personnel via official channels, stating how the hardship has been eliminated, and including affidavits attesting to this fact.

* * * * *

(h) * * *

(2) * * *

(ii) Issue an Armed Forces of the United States Report of Transfer or Discharge, Form 214N. Forward service and health records to the Commanding Officer, NRMC. A new service record will not be opened. Distribute copies of page 14 and DD Form 214N in accordance with current instructions.

(iii) Issue orders covering release to inactive duty. Distribution of copies shall be made as shown on sample form in Article C-10404, of the Bureau of Naval Personnel Manual.

* * * * *

10. Section 730.9 is amended by revising paragraph (j) to read as follows:

§ 730.9 Discharge of enlisted personnel by reason of minority.

* * * * *

(j) When an individual is separated by reason of being under the authorized age for enlistment but is considered sufficiently mature for naval service, and is in all other respects qualified, an entry shall be made under "Remarks" on the DD Form 214N to the following effect: "Recommended for reenlistment upon reaching the authorized age for enlistment." Otherwise, this item will be left blank.

11. Section 730.10 is amended by revising paragraph (h) to read as follows:

§ 730.10 Discharge of enlisted personnel by reason of unsuitability.

* * * * *

(h) A letter of transmittal in the following format shall be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. EVERSAIL (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; Recommendation for discharge by reason of unsuitability.

Encl: (1) Copy of letter of notification. (2) Statement of Seaman Doe. (3) Signed copy of waiver of privileges (if applicable). (4) Psychiatric evaluation. (5) Copy of page 9.

1. Pursuant to Article C-10310 of the Bureau of Naval Personnel (this section), the following information is submitted in the case of Seaman Doe:

a. *Basic record data.*

Date of current enlistment: 11-15-61 for 4 years. EAOS (Expiration of active obligated service): 11-16-65.

Marital status: Single. Dependents: 0. Months on board: 12.

Age: 22. GCT (general classification test): 45. AFQT 38. Years education: 12. Total service: 1 year 2 months (active); 0 (inactive).

b. *Diagnosis.* Emotional instability reaction.

c. *Military offenses.* 2-15-62 NJP (nonjudicial punishment) page 13-(3)—UA (unauthorized absence) 2 days—2 weeks restr. (restriction).

d. *Comments and recommendations of Commanding Officer.* It is recommended that DOE be separated from the naval service by reason of unsuitability. Further retention in the service would not be in the best interest of the U.S. Navy. (The commanding officer's comments should include information with regard to the counselling requirement for cases processed in accordance with subparagraphs (b) (1), (2), (3), and (4) of this section.)

A. B. SEE.

12. Section 730.12 is amended by revising paragraph (g) to read as follows:

§ 730.12 Discharge of enlisted personnel by reason of unfitness.

* * * * *

(g) A letter of transmittal in the following format will be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. EVERSAIL (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; Recommendation for discharge by reason of unfitness.

Encl: (1) Copy of letter of notification. (2) Signed statement of awareness and request for privileges. (3) Proceedings of Administrative Discharge Board. (4) Copy of page 9.

1. Pursuant to Article C-10311 of the Bureau of Naval Personnel Manual (this section), the following information is submitted in the case of Seaman DOE:

a. *Primary reason for processing.* Frequent involvement of a discreditable nature with civil or military authorities.

b. *Basic record data.*

Date of current enlistment: 11-15-60 for 4 years EAOS: 2-6-65.

Marital status: Single. Dependents: 0. Months on board: 12.

Age 22. GCT: 45. AFQT 38. Years of education: 12. Total service: 2 years, 2 months (active); 0 (inactive).

c. *Military offenses.*

2-15-61	NJP	Pg 13-(3)	UA 2 days—2 wks. restr.
4-11-61	NJP	Pg 13-(5)	UA 1 day—1 wk. extra duty.
8-5-61	NJP	Pg 13-(7)	Failed to obey lawful order 2 wks. extra duty.
5-1-62	SPCM	Pg 6-(1)	UA 15 days—15 days conf. approved.
10-1-62	SPCM	Pg 6-(2)	UA 20 days—1 month susp. forf. $30.00 a month for 1 month approved.
1-5-63	NJP	Pg 13-(9)	UA 5 hrs.—1 wk. rests.

d. *Other involvements.*

9-12-61—Convicted by civil authorities of drunkenness and fined $5.00.

11-20-60—Contracted VD infection.

4-7-61—Contracted VD infection.

12-5-62—Contracted VD infection.

1-7-63—Contracted VD infection.

e. *Remarks.* Seaman DOE is retained on board to await action by the Chief of Naval Personnel.

f. *Findings.* The Board finds that Seaman DOE has had frequent involvement of a discreditable nature with military authorities.

g. *Recommendation.* Discharge by reason of unfitness.

h. *Type of discharge.* Undesirable.

i. *Comments and recommendations of Commanding Officer.* Concur. It should be noted that this command has separately counselled Seaman DOE regarding his deficiencies.

A. B. SEE.

13. Section 730.13 is amended by revising paragraph (f) to read as follows:

§ 730.13 Discharge of enlisted personnel by reason of misconduct.

* * * * *

(f) A letter of transmittal in the following format shall be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. EVERSAIL (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; Recommendation for discharge by reason of misconduct.

Encl: (1) Copy of letter of notification. (2) Signed statement of awareness and request for privileges. (3) Proceedings of Administrative Discharge Board. (4) Copy of page 9. (5) Information concerning arrest, conviction, or disposition (include civil document if available).

1. Pursuant to Article C-10912 of the Bureau of Naval Personnel Manual (this sec-

tion), the following information is submitted in the case of Seaman DOE:

a. *Primary reason for processing.* Civil conviction.

b. *Basic record data.*

Date of current enlistment: 11-15-60 for 4 years. EAOS: Undetermined.

Marital status: Single. Dependents: 0. Months on board: 12.

Age: 22. GCT 45 AFQT 36. Years of education: 12. Total service: 2 years 2 months (active); 0 (inactive).

c. *Circumstances of offense(s) in detail.* While on authorized leave on 1-1-63, arrested by the civil authorities of Colorado Springs, Colo., on the charge of auto theft.

d. *Action of civil authorities.* Tried on 1-5-63 at Colorado Circuit Court, Colorado Springs, Colo., for violation of Title 29, Section 133.24, Colorado Penal Code, for five counts of car theft, and convicted. Received an indeterminate term up to 5 years confinement. Presently serving sentence at the Colorado State Prison, Canon City, Colo. Maximum penalty—Article 121, UCMJ, 5 years.

e. *Summary of military offense(s).* 4-11-61 NJP (nonjudicial punishment) page 13(5) UA (unauthorized absence) 1 day—1 week extra duty.

f. *Remarks.* Records and effects located at this command. Other personnel involved: TN T. H. SMITH, USN, 645 32 21. Commanding Officer, USS NEVERSAIL, has been notified.

g. *Finding.* The board finds that Seaman DOE was convicted by the Colorado Circuit Court, Colorado Springs, Colo., of car theft, five counts.

h. *Recommendation.* Discharge by reason of misconduct.

i. *Type of discharge.* Undesirable.

j. *Comments and recommendations of Commanding Officer.* Concur.

A. B. SER.

(Secs. 280, 510, 1162, 1163, 5031, ch. 569, 70A Stat. 14, 17, 89, 278, 391–393, as amended, 72 Stat. 1498, 76 Stat. 508, 517, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 133, 280, 510, 1162, 1169, 5031, 5867, ch. 569)

By direction of the Secretary of the Navy.

Dated: July 10, 1967.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

[F.R. Doc. 67-8210; Filed, July 17, 1967; 8:45 a.m.]

Chapter VII—Department of the Air Force

SUBCHAPTER E—SECURITY

PART 850—SAFEGUARDING CLASSIFIED INFORMATION

SUBCHAPTER K—MILITARY TRAINING AND SCHOOLS

PART 909—USAF TRAINING FOR AIR FORCE CONTRACTOR EMPLOYEES

Miscellaneous Amendments to Chapter

Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

§§ 850.9, 850.11a [Amended]

1. In § 850.9, paragraph (e) is amended by changing the reference in the next to last line from "(AFISL-3)" to "(AFISPP)"; and § 850.11a is amended by deleting paragraphs (a) and (b).

2. A new § 850.10a is added as follows:

§ 850.10a Measures, approval and sponsorship for meetings involving disclosure of classified information.

(a) *Definitions*—(1) *Meetings.* As used in this section, meetings wherein disclosure of classified information is involved are conferences, seminars, symposia, exhibits, scientific and technical conventions and gatherings conducted by the Air Force and other DoD components, or by associations, societies, institutions, groups, Defense contractors, and other non-Defense activities.

(2) *Communist countries.* As used in this section, Communist countries are Albania, Bulgaria, Chinese Peoples Republic (Communist China) (including Tibet), Cuba, Czechoslovakia, Democratic Peoples Republic of Korea (North Korea), Democratic Republic of Vietnam (North Vietnam), German Democratic Republic (GDR) (East Germany, including the Soviet Sector of Berlin), Hungary, Mongolian Peoples Republic (Outer Mongolia), Poland, Rumania, Union of Soviet Socialist Republics (USSR), (including Estonia, Latvia, Lithuania, and all the other constituent republics), and Yugoslavia.

(b) *Policy*—(1) *National interest.* Air Force commanders or other officials shall not approve or sponsor any venture which is not in the best interest of national security.

(2) *Advance action.* Air Force commanders or other officials shall not approve or sponsor any meeting involving disclosure of classified information if adequate security measures are not provided for in advance.

(3) *Contractors.* Air Force security responsibilities for sponsoring classified contractor meetings, as authorized in the DoD Industrial Security Regulation and Part 852 of this subchapter, will be in accordance with the provisions of this part.

(4) *Attendance.* Attendance at meetings conducted or sponsored by Air Force commanders or other officials shall be limited strictly to those persons whose presence is considered necessary in the interest of national security and who:

(i) Have been granted an access authorization equal to or higher than that of the information to be discussed; and

(ii) Have official duties requiring such access in the interests of promoting national defense. A person's attendance at a meeting does not necessarily mean that he is or should be authorized access to all classified sessions or presentations. Each person should be scheduled and permitted to attend only those classified portions which involve the subject matter he requires in order to perform his official duties.

(5) *Location of meetings.* (i) Meetings at which Top Secret or Secret defense information is to be disclosed will be held only at U.S. Government installations or at cleared facilities of DoD contractors. However, when necessary for the effective accomplishment of essential functions Air Force commanders and other officials may hold such meetings at another location provided they have been authorized to do so, in writing, by at least an Assistant Secretary of the Air Force. Requests for such authorization shall be sent through channels to the major staff office in Hq USAF having primary responsibility for the subject matter of the meeting. When an exception appears warranted, that office shall coordinate the matter with Hq USAF (AFIGO) before forwarding the proposal for secretarial approval. (As a matter of policy, such requests are disapproved unless there is overwhelming evidence that the need and exception clearly justifies risking possible loss of security.)

(ii) Meetings at which information no higher than Confidential is to be disclosed or discussed may be held at other locations provided an adequate U.S. Government installation or cleared DoD contractor facility is not available and it is specifically approved and authorized in writing at numbered Air Force or comparable or higher level.

(6) *Attendance by foreign nationals.* (i) Foreign nationals of countries other than Communist countries may be approved for attendance at an Air Force sponsored meeting, in which classified information is to be disclosed, provided it is specifically authorized in writing by Hq USAF (AFNIN) in accordance with § 850.9(g)(1).

(ii) Representatives of Communist countries will be excluded from meetings with no unclassified sessions and personnel from these countries will not be invited.

(iii) Representatives of Communist countries will not be authorized to attend any unclassified session or other unclassified portion of meetings comprising a mixture of classified and unclassified sessions even though no classified information is to be presented in that session or portion thereof, unless specifically and individually approved in writing on a name basis by the Secretary of the Air Force (authority not to be redelegated). Send requests for such action to Hq USAF (AFNIN). Approval shall be used as a means of furthering reciprocity for attendance of similar numbers and types of U.S. personnel at similar Communist country meetings to maintain an effective East-West exchange program.

(iv) When the entire meeting is unclassified prior approval by Hq USAF (AFNICBB) must be obtained, in accordance with paragraph (d)(5) of this section, to invite representatives of Communist countries to attend wholly unclassified meetings sponsored or conducted by Air Force commanders or other authorized officials. There are, however, requirements for obtaining State Department approval as prescribed by paragraph (d)(5) of this section.

(c) *Sponsorship*—(1) *Acceptance of sponsorship.* Sponsorship of meetings referenced in this part will be accepted only if the Department of the Air Force has a significant interest in the subject matter of the meetings, and only after a determination is made that:

(i) The use of conventional channels for dissemination of scientific, technical, and other information would not accomplish the purpose of the meeting.

(ii) The conduct of the meeting is clearly consistent with the interests of national security.

(iii) Adequate security measures have been developed and will be carried out.

(iv) All persons selected and approved to attend the classified portions of these meetings have met the general policy for attendees prescribed by paragraph (b) (4) of this section.

(2) *Announcements and invitations.* Acceptance of sponsorship entails the review of all announcements and invitations for accuracy and to insure that:

(i) They are unclassified.

(ii) All announcements and invitations indicate that the meeting has appropriate Air Force sponsorship to include identification of the sponsoring activity.

(iii) Announcements of and invitations to unclassified sessions of meetings do not contain notices of classified sessions.

(iv) Notices of classified sessions are not sent to Communist country personnel.

(d) *Security responsibilities.* In addition to the security responsibilities inherent in the general policy statements under paragraph (b) of this section, the commander or other official conducting or sponsoring a meeting is charged with full responsibility, including the following security functions.

(1) Determining that the area selected for presentation of classified information is secure against unauthorized access to or illicit acquisition of, the classified information involved.

(2) Insuring that adequate secure storage facilities are available, when required.

(3) Insuring that attendance at meetings at which classified defense information is discussed is limited to those persons whose names appear on the approved access list and then only upon proper identification.

(4) Controlling and safeguarding any classified material furnished attendees and recapturing the materials or obtaining receipts, as appropriate, at the end of each classified session of the meeting.

(5) Providing Hq USAF (AFNICBB) with the names, prior to issuance of actual invitation, of all representatives and nationals of Communist countries whom it is planned to invite to a meeting (including unclassified meetings). In addition to the names, providing the date of attendance, location of the meeting, subject matter to be discussed, and the titles and preliminary or final abstracts of scientific, technical or other papers to be presented.

(6) Notifying each person who presents or discloses information at a meeting of any limitations that must be imposed for reasons of security, level of access authorization, requirements for access to the information, and planned attendance of foreign nationals. The speaker is responsible for seeking such guidance and for keeping his disclosures within prescribed limits.

(7) Providing such other safeguards as may be deemed appropriate.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)

[AFR 205-1H, June 19, 1967]

A new Part 909 is added as follows:

Sec.
909.1 Purpose.
909.2 When contractor personnel may be trained.
909.3 USAF schools.
909.4 How contractors apply for training.

AUTHORITY: The provisions of this Part 909 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 50-3, April 27, 1960.

§ 909.1 Purpose.

This part tells when and how USAF training may be given to employees of private organizations under contract with the Air Force to provide equipment or services.

§ 909.2 When contractor personnel may be trained.

Employees of private organizations under contract with the Air Force may receive training at USAF schools, or through on-the-job training at a USAF base, when such training is specifically provided for in the basic contract. When training of contractor employees is not specifically provided for in the basic contract, the following criteria must be met:

(a) The training must be of material and direct benefit to the Air Force as determined by Hq USAF.

(b) The training must be considered available by the major command controlling it.

(c) The training must come within quotas established or approved by Hq USAF.

(d) The training must not be reasonably available from any other source.

(e) When the course of training includes presentation of classified defense information, the employee must have a current security clearance commensurate with the category of the classified information. The trainee may have access to classified defense information only when required for performance of the Government's contract with the requesting contractor.

(f) The Air Force shall not be liable for the following direct costs:

(1) Travel to and from the training location.

(2) Per diem.

(3) Subsistence.

(g) When the administrative contracting officer of the basic contract:

(1) Certifies that the USAF is not paying the contractor for the specific training, the training must be conducted without adjustment to the contract cost.

(2) Determines that the USAF is paying the contractor for the specific training, he will make an appropriate adjustment to the contract cost. The amount of adjustment will be determined by the administrative contracting officer of the basic contract.

§ 909.3 USAF schools.

The term USAF schools includes any formal school or course conducted by either the USAF or by a contractor under a contract with the USAF.

§ 909.4 How contractors apply for training.

An Air Force contractor desiring training under this part of his employees must forward a written request to the major command conducting the course, through the major command or designated subcommand supervising the contract for which the training is necessary, at least 30 days before the date training should begin. He must show:

(a) Name, address, and security clearance of each employee.

(b) Sufficient information to provide for determination under § 909.2 (a) and (e).

(c) Certification by the administrative contracting officer whether or not the contractor is being paid by the USAF for the specific training. If the contractor is being paid for the specific training, certification also that the administrative contracting officer has made a reasonable settlement in the contract.

(d) When flight training is requested, a complete history of the flying experience of each employee.

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 67-8209; Filed, July 17, 1967; 8:45 a.m.]

Title 45—PUBLIC WELFARE

Chapter XI—National Foundation on the Arts and the Humanities

PART 1100—STATEMENT FOR THE GUIDANCE OF THE PUBLIC—ORGANIZATION, PROCEDURE AND AVAILABILITY OF INFORMATION

Part 1100 reads as follows:

Sec.
1100.1 Organization.
1100.2 Procedures and transaction of business.
1100.3 Availability of information to the public.

AUTHORITY: The provisions of this Part 1100 issued under 5 U.S.C. 552.

§ 1100.1 Organization.

(a) The National Foundation on the Arts and the Humanities was established by the National Foundation on the Arts and the Humanities Act of 1965 (79 Stat. 845; 20 U.S.C. 951). The Foundation is composed of a National Endowment for the Arts, a National Endowment for the Humanities and a Federal Council on the Arts and the Humanities. Each Endowment is headed by a Chairman and has a National Council composed of 26 Presidential appointees, with the Chairman of

the Endowment also serving as Chairman of the Council. The purpose of the Foundation is to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States.

(b) The Endowments accomplish their missions primarily by providing financial assistance for projects in the arts and the humanities, including the making of fellowship and other awards to individuals as well as awards to nonprofit organizations. By statute, awards made to organizations by the National Endowment for the Arts may not exceed one-half the cost of the project, except that a percentage of the Arts Endowment's funds may be used for nonmatching grants to organizations which show that they have attempted unsuccessfully to secure funds equal to the amounts applied for.

(c) The organizational arrangement of the Foundation is as follows:

(1) *National Endowment for the Arts*—(i) *Office of the Chairman.* The Endowment is headed by the Chairman, who is also Chairman of the National Council on the Arts and a member of the Federal Council on the Arts and the Humanities. The Chairman, with the advice of the National Council on the Arts and the Federal Council on the Arts and the Humanities, is responsible for establishing Endowment policies and for developing and carrying out programs to provide support for projects and productions in the arts. The Chairman is assisted by a Deputy Chairman, who is appointed by him.

(ii) *Program Activities of the Arts Endowment.* The activities of the Endowment are carried out with the aid of the following program offices:

(*a*) State and Community Operations.
(*b*) Architecture, Planning and Design.
(*c*) Creative Writing.
(*d*) Education and Public Media.
(*e*) Music.
(*f*) Theater and Dance.
(*g*) Visual Arts.

Each of the above offices assists the Chairman in developing programs to provide support for activities in its area of interest.

(2) *National Endowment for the Humanities*—(i) *Office of the Chairman.* The Endowment is headed by the Chairman, who is also Chairman of the National Council on the Humanities and a member of the Federal Council on the Arts and the Humanities. The Chairman, with the advice of the National Council on the Humanities and the Federal Council on the Arts and the Humanities, is responsible for establishing Endowment policies and for developing and carrying out programs to provide support for research in the humanities, for strengthening the research potential of the United States in the humanities, or providing fellowships for training in the humanities, for fostering the interchange of information in the humanities and for fostering public understanding and appreciation of the humanities. The Chairman is assisted by a Deputy Chairman, who is appointed by him.

(ii) *Program Activities of the Humanities Endowment.* (*a*) The program activities of the Endowment are carried out through three divisions:

(1) The Division of Research and Publication.

(2) The Division of Fellowships and Stipends.

(3) The Division of Education and Special Projects.

(*b*) The Division of Research and Publication supports research and programs to strengthen the research potential of the United States, as well as to encourage the preparation of scholarly works in the humanities.

(*c*) The Division of Fellowships and Stipends supports individual scholarship and training by providing individuals with time uninterrupted by other responsibilities.

(*d*) The Division of Educational and Special Projects provides support primarily to institutions—schools, colleges, universities, museums, public agencies, and private nonprofit groups—to increase public understanding and appreciation of the humanities.

(3) *Legal, financial and administrative activities.* (i) These services are provided to the two Endowments on a shared basis. The Officers involved are (*a*) the General Counsel and (*b*) the Administrative Officer.

(ii) The General Counsel provides legal advice and counsel to the Chairmen of the National Endowment for the Arts and the National Endowment for the Humanities, to the National Council on the Arts and the National Council on the Humanities, and to the Federal Council on the Arts and the Humanities as well as to the divisions and offices of the Foundation.

(iii) The Administrative Officer is responsible for the administrative and financial procedures of the Foundation, including financial records, accounting and personnel matters.

§ 1100.2 Procedures and transaction of business.

(a) *Inquiries and transaction of business.* All inquiries, submittals or requests should be addressed as follows: (1) Those involving the work of the National Endowment for the Arts should be addressed to the National Endowment for the Arts, Washington, D.C. 20506, or a member of the public may call at the Endowment's offices at 1800 G Street NW., Washington, D.C., during normal business hours which are 9 a.m. to 5:30 p.m., Monday through Friday; (2) requests involving the National Endowment for the Humanities should be addressed to the National Endowment for the Humanities, Washington, D.C. 20506, or a member of the public may call at the Endowment's offices at 1800 G Street NW., Washington, D.C. during normal business hours which are 9 a.m. to 5:30 p.m., Monday through Friday. If a person is uncertain as to which organization an inquiry should be addressed, he should address his inquiry to the National Foundation on the Arts and the Humanities, Washington, D.C. 20506.

(b) *General method of functioning, procedures, forms, descriptions of programs.* In general, the Endowments provide financial support for activities in the arts and humanities on the basis of applications submitted by the person or organization desiring support. In general, such awards are made on a merit basis after a review process involving staff members and outside experts. The Endowments publish various announcements and booklets describing their programs and explaining their procedures. For example, the booklet "National Endowment for the Humanities—Program Information 1968", provides a comprehensive description of the programs, functions and procedures of the National Endowment for the Humanities. Forms or instructions for application to participate in the programs of the Endowments are obtainable on request. All program announcements, publications or application forms may be obtained by applying either to the National Endowment for the Arts or the National Endowment for the Humanities or by calling in person at their Washington offices.

§ 1100.3 Availability of information to the public.

(a) *Statutory requirements.* 5 U.S.C. 552(a)(3) requires each Agency, upon request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute, and procedure to be followed, to make such records promptly available to any person. 5 U.S.C. 552(b) exempts specified classes of records from the public access requirements of 5 U.S.C. 552(a)(3) and permits them to be withheld when the public interest so requires.

(b) *Purpose.* This section is designed to provide the rules referred to in 5 U.S.C. 552(a)(3) with respect to public access to records of the National Endowment for the Arts and the National Endowment for the Humanities.

(c) *Time, place, and form.* Requests for access to records of the National Endowment for the Arts and the National Endowment for the Humanities may be filed, in person or by mail, with the Deputy Chairman of the Endowment concerned between 9 a.m. and 5:30 p.m., Monday through Friday, except holidays.

(d) *Procedure.* (1) Upon receipt of a request for a record, the Deputy Chairman of the Endowment concerned, after determining that the record requested is sufficiently identified, shall determine whether the record is subject to exemption from public inspection under the provisions of 5 U.S.C. 552(b). If he determines it is subject to exemption and that the requested record should be withheld in the public interest, the requestor shall be notified that his request has been denied.

(2) If the appropriate Deputy Chairman concludes that an identified record exempt under 5 U.S.C. 522(b) need not be withheld from public inspection, it will be made available to the requestor for inspection at the office of the Endowment

or a copy will be provided to him. In the latter case, an appropriate charge may be made, taking into account all relevant costs to the Endowment for providing such service. Such payment is payable in advance of fulfilling the request. In any event, provision of records, whether at the Endowments' offices or through the making of copies available, shall be on a facilities available basis, taking into account normal business activities of the Endowments.

(e) *Appeals.* Any person aggrieved by any determination made, or action taken, pursuant to the foregoing provisions of this part may, within 30 days, request the Chairman of the Endowment concerned to review that determination or action. A letter or other written statement setting forth the pertinent facts shall be sufficient for this purpose. Each Chairman reserves the right to request the person involved to provide additional information in support of his request for review. The Chairman concerned will promptly consider each such request for review and notify the person involved of his decision, which will constitute the final decision of the Endowment.

Effective date. The provisions of this part shall become effective upon publication in the FEDERAL REGISTER.

Dated: July 11, 1967.

ROGER L. STEVENS,
Chairman,
National Endowment for the Arts.

BARNABY C. KEENEY,
Chairman, National Endowment for the Humanities.

[F.R. Doc. 67-8244; Filed, July 17, 1967; 8:50 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER A—GENERAL PROVISIONS

[General Order 22; Amdt. 1]

PART 503—PUBLIC INFORMATION

Fees for Services

The Federal Maritime Commission has adopted a rule to be effective July 18, 1967, establishing a uniform method of declaring shipment weights and measurements on automobiles moving in the domestic offshore trades. The Commission has compiled a publication entitled "Automobile Manufacturers' Measurements" which is to be available for use by carriers filing tariffs naming rates for transportation of automobiles.

The Commission hereby establishes its fee for making this publication available to interested parties.

Therefore, pursuant to 5 U.S.C. 552, § 503.43 *Fees for services* of Title 46 of the Code of Federal Regulations is hereby amended by adding a new paragraph (f) at the end thereof.

§ 503.43 Fees for services.

* * * * *

(f) The Commission publication entitled "Automobile Manufacturers' Measurements" is available on a fiscal year subscription basis, including any supplements issued during the fiscal year in which purchased, for a fee of $5.00.

Effective date. The amendment contained herein shall be effective July 18, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8295; Filed, July 17, 1967; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 990-A]

PART 195—CAR SERVICE

Union Pacific Railroad Co. Authorized To Operate Over Trackage of Denver and Rio Grande Western Railroad Co.

At a session of the Interstate Commerce Commission Railroad Service Board, held in Washington, D.C., on the 12th day of July, A.D., 1967.

Upon further consideration of Service Order No. 990 (32 F.R. 793) and good cause appearing therefor:

It is ordered, That:

Section 195.990 *Service Order No. 990,* be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That this order shall become effective at 11:59 p.m., July 12, 1967; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of the order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-8248; Filed, July 17, 1967; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 945]

IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.

Notice of Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment as hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98, as amended, and Order No. 945, as amended (7 CFR Part 945), herein referred to collectively as the "order."

This marketing order regulates the handling of Irish potatoes grown in Idaho and Malheur County, Oreg., and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27 (b)).

§ 945.220 Expenses and rate of assessment.

(a) *Expenses.* The reasonable expenses that are likely to be incurred during the fiscal period beginning June 1, 1967, and ending May 31, 1968, by the Idaho-Eastern Oregon Potato Committee, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, will amount to $32,000.

(b) *Rate of assessment.* The rate of assessment to be paid by each handler in accordance with the amended marketing agreement and this part, shall be two tenths of one cent ($0.002) per hundredweight, or equivalent quantity, of potatoes handled by him as the first handler thereof during the fiscal period.

(c) *Reserve.* Unexpended income in excess of expenses for the fiscal period ending May 31, 1968, may be carried over as a reserve.

(d) *Definition of terms.* Terms used in this section have the same meaning as when used in the said amended marketing agreement and this part.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 13, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-8246; Filed, July 17, 1967; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 71, 75]

[Airspace Docket No. 67-SO-13]

FEDERAL AIRWAYS, JET ROUTES, AND CONTROL AREA

Proposed Alteration and Designation

The Federal Aviation Administration in considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter VOR Federal airway Nos. 7, 22, 35 and 97 and Jet Route No. 2, and designate offshore control area for J–41/43.

The Albany, Ga., VOR and the Tallahassee, Fla., VORTAC will be relocated to sites at approximately latitude 31°-39'19" N., longitude 84°17'33" W., and latitude 30°33'22" N., longitude 84°22'-26" W., respectively. The relocation will be accomplished about October 12, 1967. Concurrently with relocation of the facilities it will be necessary to make the following alterations to the associated airways and jet routes. These actions affect airspace both within and outside the United States.

1. V–7: From Cross City, Fla.; 1,200 feet AGL Greenville, Fla.; 1,200 feet AGL Dothan, Ala., including a 1,200 feet AGL west alternate from Cross City to Dothan via the intersection of Cross City 287° and Marianna, Fla., 141° True radials and Marianna, excluding the airspace between the main and this west alternate.

2. V–22: From Marianna, 1,200 feet AGL; Tallahassee, Fla.; 1,200 feet AGL Greenville. The south alternate from Marianna to Greenville would be revoked.

3. V–35: From Cross City, 1,200 feet AGL Greenville; 1,200 feet AGL Albany, Ga., including a 1,200 feet AGL west alternate via Tallahassee, Fla.; 1,200 feet AGL Macon, Ga., including a 1,200 feet AGL west alternate via the intersection of Albany 013° T (012° Mag.) and Macon, 227° T (226° Mag.) radials.

4. V–97: From La Belle, Fla., 1,200 feet AGL St. Petersburg, Fla.; 1,200 feet AGL Tallahassee, including a 1,200 feet AGL east alternate from the intersection of La Belle 313° T (312° Mag.) and Lakeland, Fla., 175° T (174° Mag.) radials to the intersection of St. Petersburg 331° T (330° Mag.) and Lakeland 307° T (306° Mag.) radials via Lakeland and from the intersection of St. Petersburg 331° T (330° Mag.) and Cross City 201° T (200° Mag.) radials to Tallahassee via Cross City and also a 1,200 feet AGL west alternate from St. Petersburg to the intersection of St. Petersburg 331° T (330° Mag.) and Cross City 201° T (200° Mag.) radials via the intersection of St. Petersburg 316° T (315° Mag.) and Cross City 201° T (200° Mag.) radials; 1,200 feet AGL Albany; 1,200 feet AGL Atlanta, Ga., including a 1,200 feet AGL east alternate via the intersection of Albany 013° T (012° Mag.) and Rex, Ga., 174° T (173° Mag.) radials and the intersection of Rex 174° T (173° Mag.) and Atlanta 147° T (146° Mag.) radials.

5. In V–241 east alternate, the Atlanta 175° T (174° Mag.) radial would be substituted for the Atlanta 174° T (173° Mag.) radial.

6. Jet Route No. 2 would be realigned from Crestview, Fla.; via the intersection of Crestview 091° and Tallahassee 290° True radials, to Tallahassee.

7. V–159 and J–20, J–41, J–43, and J–2 east of Tallahassee associated with the Tallahassee VORTAC would be automatically realigned with the relocated VORTAC.

8. V–97, J–41, and J–43 are designated in part, direct between St. Petersburg and Tallahassee. The portion of this segment of V–97 that extends outside the United States has no upper limit. The portions of these segments of J–41 and J–43 outside the United States are within the control area associated with V–97. To preclude misunderstanding and for records keeping purposes, it is proposed to lower the ceiling of the offshore portion of V–97 to "to but not including 18,000 feet MSL," to conform to the standard vertical extent of Federal airways and to designate control area associated with the offshore portion of J–41 and J–43. This action will not alter the overall assignment of airspace in this area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify that airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on July 14, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8314; Filed, July 17, 1967; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. I]

[Ex parte No. 249 (Sub-No. 1)]

INFORMAL PROCEDURE FOR DETERMINING MOTOR CARRIER AND FREIGHT FORWARDER REPARATION

Notice of Proposed Rule Making

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 29th day of June 1967.

It appearing, that on December 14, 1965, the Commission in Ex Parte No. 249, In the Matter of Informal Procedure for Motor Carrier and Freight Forwarder Reparation, approved a procedure by which motor carriers and freight forwarders may be authorized to pay reparations to shippers in uncontested cases and by order dated June 3, 1966, denied petitions for reconsideration;

It further appearing, that on May 15, 1967, the U.S. District Court for the District of Columbia issued its opinion, and on June 5, 1967, entered its judgment in Civil Action No. 1911-66, National Motor Freight Traffic Association et al. v. United States et al., reversing the order of the Commission dated June 3, 1966, in the above-mentioned proceeding, whereupon the Commission discontinued that proceeding;

And it further appearing, that the principal ground for the Court's decision was that the said procedure was established without the prior institution of a rulemaking proceeding.

It is ordered, That a rulemaking proceeding be, and it is hereby, instituted under Part II and Part IV of the Interstate Commerce Act, particularly sections 204a and 406a (49 U.S.C. 304a and 1006a), and section 4 of the Administrative Procedure Act (5 U.S.C. 552) for the purpose of determining whether any, and if so what, procedure should be prescribed by which motor carriers and freight forwarders may be authorized informally to pay reparations to shippers in uncontested cases. The Commission is considering the prescription of the following procedure:

Motor carriers and freight forwarders who believe that the applicable charges on past shipment via their lines delivered on and after September 6, 1965, were unreasonable and are willing voluntarily to adjust those charges to a reasonable basis, may now by informal procedure apply to the Commission for authorization to pay reparation or to waive undercharges.

These requests may be in the form of a letter or petition and should be addressed to the Informal Cases Branch of the Bureau of Traffic. They should contain the following information as to each shipment:

(a) Dates of origin and delivery, and names of consignor and consignee.

(b) Points of origin and destination, routes, and participating carriers.

(c) Weights, commodity shipped, applicable rates and charges, sought rates and charges, with tariff authority by page and/or item number for each rate.

(d) Evidence and reasons why applicable rates and charges are believed to be unreasonable.

The request should name the proper party in interest on whose behalf adjustment is sought, and should bear the concurrences of that party as well as those of all participating carriers. The evidence to be submitted should include a statement as to when and how the alleged unreasonable rate situation was removed, together with an admission by the carriers that the legally applicable rates or rules were, under all the circumstances and conditions at time of movement, excessive and unreasonable.

It is further ordered, That any person desiring to become a party to this proceeding shall notify the Commission of that fact not later than 20 days from the date of publication of this order in the FEDERAL REGISTER. Thereafter, the Secretary of the Commission shall serve a service list upon all parties within 40 days from the date of this publication.

It is further ordered, That this proceeding be handled under modified procedure, the filing and serving of pleadings to be as follows: (a) Statements of facts, views, and arguments by any interested party as to the above described proposal or any other proposal which it is desired to advance on or before 60 days from the date of service of this order; and (b) 30 days thereafter, any reply statements thereto.

And it is further ordered, That a copy of this order be served on the Public Utility Commission or Boards, or similar regulatory bodies of each State having jurisdiction over transportation by motor common carrier and freight forwarder; that a copy be posted in the Office of the Secretary of the Interstate Commerce Commission for public inspection, and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-8249; Filed, July 17, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority No. 100]

DIRECTOR OF THE REGIONAL USAID FOR AFRICA

Delegation of Authority With Respect to Cameroon, the Gambia, the Malagasy Republic, Mali, and Niger

1. Pursuant to the authority vested in the Assistant Administrator for Africa, I hereby redelegate to the Director of the Regional USAID for Africa the authority with respect to the administration of the foreign assistance program for Cameroon, the Gambia, the Malagasy Republic, Mali, and Niger which the Administrator's Delegation of Authority No. 45, dated June 27, 1964 (29 F.R. 9508), as amended, authorized the Assistant Administrator for Africa to redelegate to said Director.

2. This redelegation of authority shall be effective July 1, 1967.

Dated: July 3, 1967.

R. PETER STRAUS,
Assistant Administrator for Africa.

[F.R. Doc. 67-8224; Filed, July 17, 1967; 8:46 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

ORGANIZATIONAL STATEMENT

Pursuant to the requirements of section 3a of the Administrative Procedures Act, as amended (5 U.S.C. 552), there follows an organizational statement for the guidance of the public approved by the Assistant Secretary of Defense (Installations and Logistics):

ARMED SERVICES PROCUREMENT REGULATION COMMITTEE

I. *Establishment of Committee and its functions.* The Armed Services Procurement Regulation Committee shall submit recommendations to the Assistant Secretary of Defense (Installations and Logistics), through the Chairman, on the following:

A. New sections and paragraphs of the Armed Services Procurement Regulation.

B. Appropriate revisions to the Armed Services Procurement Regulation.

C. Other matters involving procurement as may be proposed for consideration by the Military Departments or the Defense Supply Agency through their respective members or by the Staff of the Assistant Secretary of Defense (Installations and Logistics) through the Chairman of the Committee.

II. *Membership—Office, Secretary of Defense.* The Assistant Secretary of Defense (Installations and Logistics) shall appoint two members of the Committee—one of whom he shall designate as Chairman of the Committee. In the absence of the Chairman, the other staff member shall act as Chairman.

Military Departments. The Assistant Secretary of each Military Department responsible for procurement shall appoint two members of the Committee, one a procurement policy representative and one a legal representative.

Defense Supply Agency. The Director of the Defense Supply Agency shall appoint two members of the Committee, one a procurement policy representative and one a legal representative.

Security Clearance of Members. Each Military Department and the Defense Supply Agency will certify in its letter appointing members that the appointees have security clearance for TOP SECRET information.

III. *Administration.* A. The Chairman of the Committee will establish the rules of procedure for the Committee and direct its program of work.

B. The Chairman of the Committee will insure that only matters falling within the scope of the functions of the Committee are presented to the Committee for consideration.

C. The Committee may establish subcommittees or working groups to aid the Committee in the performance of its work.

D. The Committee normally shall meet once a week and, when warranted, at more frequent intervals at the call of the Chairman.

E. The Executive Secretary of the Committee shall be designated by the Assistant Secretary of Defense (Installations and Logistics).

IV. *Approval of recommendations of Committee.* The following procedures will be applicable to the processing of the Committee's recommendations:

A. With respect to matters, other than major policy matters, as to which the members are in accord, action of the Committee shall be considered as having the final approval of the Military Departments and the Defense Supply Agency without further review by them, and, upon approval by the Assistant Secretary of Defense (Installations and Logistics), or his authorized representative, regulations or directives developed by the Committee will be published without further coordination.

B. With respect to matters involving major policy or where conflicts among the members cannot be resolved promptly by the Committee, the official Departmental or Agency positions will be presented to the Assistant Secretary of Defense (Installations and Logistics) for resolution in coordination with the Assistant Secretaries responsible for procurement and the Director, Defense Supply Agency. Following approval or resolution by the Assistant Secretary of Defense (Installations and Logistics), the regulation or directive will be published without further coordination.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 67-8236; Filed, July 17, 1967; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES 2954; Survey Groups 72 and 73]

MICHIGAN

Notice of Filing of Plats of Survey

JULY 12, 1967.

The plats of survey, accepted on May 12, 1967, of islands in two lakes in Michigan, omitted from the original survey, will be officially filed in this Office effective at 10 a.m., on August 14, 1967.

The lands included in these surveys are described as follows:

T. 4 S., R. 2 E., Michigan meridian, Michigan (Group 73—Jackson County),
Sec. 36, lot 7 (an island in Mud Lake).
Containing 1.55 acres.
T. 4 S., R. 6 W., Michigan meridian, Michigan (Group 72—Calhoun County),
Sec. 3, lots 1 and 2 (two islands in Nottawa Lake).
Containing an aggregate of 2.83 acres.

All available evidence indicates that these islands were in existence in 1837 when Michigan was admitted into the Union, and at all times since then. The islands are over 50 percent upland within the meaning of the Swamp Land Act of September 28, 1850.

Subject to valid existing rights, if any, these islands will be opened to petition-applications under the public land laws on the above date. All inquiries relating to these lands should be sent to the Manager, Eastern States Land Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Md. 20910.

JOSIAH P. HAGAN,
Assistant Manager, Land Office.

[F.R. Doc. 67-8212; Filed, July 17, 1967; 8:45 a.m.]

[A 997]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Reclamation, Department of the Interior, has filed an application, Serial No. A 997, for the with-

drawal of the public lands and any patented lands that may become public in the future, as listed herein, from all forms of location, sale, or entry under the mineral and nonmineral public land laws, subject to valid existing rights. The public lands involved, concurrent with the proposed use of the applicant, will continue to be administered for multiple resource purposes to the best interest of the public.

The Bureau of Reclamation desires these lands to be used for right-of-way, material sites, and side drainage control for the proposed Granite Reef and Salt-Gila Aqueducts, Central Arizona Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their view in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, Ariz. 85025.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in this application are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 5 N., R. 1 E.,
Sec. 23, N½;
Sec. 24, NW¼;
Sec. 29, E½E½.
T. 5 N., R. 2 E.,
Sec. 33, N½ and NW¼SW¼;
Sec. 34, N½NW¼ and SW¼NW¼.
T. 4 N., R. 3 E.,
Sec. 22, W½SW¼NE¼ and W½SW¼NW¼ NE¼.
T. 3 N., R. 6 E.,
Sec. 26, lots 7, 8, 11, and 12, NE¼SW¼ and S½SW¼.
T. 1 N., R. 7 E.,
Sec. 8, SW¼NE¼, NE¼NW¼, and NE¼ SE¼.
T. 2 N., R. 7 E.,
Sec. 4, lot 10;
Sec. 5, lots 3 and 9.
T. 5 N., R. 1 W.,
Sec. 12, lot 4 and SW¼SE¼;
Sec. 13, lots 1, 2, and 3, W½NE¼, NW¼, N½SW¼, and NW¼SE¼;
Sec. 14, N½, N½S½, and SW¼SW¼;
Sec. 15, NE¼NE¼, S½NE¼, and S½;
Sec. 17, S½S½;
Sec. 19, lots 2, 3, and 4, SE¼NW¼, E½ SW¼, and SE¼;
Sec. 20, N½ and N½SW¼;
Sec. 21, N½;
Sec. 22, NE¼NE¼ and SW¼NW¼.
T. 4 N., R. 4 W.,
Sec. 8, SW¼;
Sec. 14, S½NE¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 17;
Sec. 18, W½E½;
Sec. 19, E½;
Sec. 20;
Sec. 21, NE¼NE¼, S½N½, and S½;
Sec. 22, N½NE¼, SW¼NE¼, and NW¼;
Sec. 24, NW¼NW¼;
Sec. 28, S½NE¼;
Sec. 30, lots 3 and 4, SE¼NW¼, E½SW¼, and E½.
T. 3 N., R. 5 W.,
Sec. 5, SW¼SW¼;
Sec. 6, lots 2, 3, 4, and 5, SW¼NE¼, SE¼ NW¼, N½SE¼, and SE¼SE¼;
Sec. 7, NE¼NE¼;
Sec. 8, SW¼NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, and SE¼;
Sec. 9, NW¼SW¼ and S½SW¼;
Sec. 16, W½.
T. 3 N., R. 6 W.,
Sec. 14, SE¼;
Sec. 15, S½N½;
Sec. 18, SE¼SW¼.
T. 3 N., R. 7 W.,
Sec. 23, S½SW¼;
Sec. 24, NE¼NE¼, S½NE¼, and SE¼ NW¼;
Sec. 27, N½SE¼ and SW¼SE¼;
Sec. 28, S½NE¼ and SW¼;
Sec. 29, NE¼SE¼ and S½S½;
Sec. 31, lot 2 and NE¼ and E½NW¼.
T. 2 N., R. 8 W.,
Sec. 2, lots 1 and 2 and S½N½ and S½;
Sec. 10, NE¼SW¼ and N½SE¼.
T. 3 N., R. 8 W.,
Sec. 26, S½;
Sec. 31, NE¼;
Sec. 32, NE¼;
Sec. 33, N½NE¼ and NW¼;
Sec. 36, SE¼SW¼, NE¼SE¼, and S½SE¼.
T. 3 N., R. 9 W.,
Sec. 22, S½NW¼;
Sec. 30, NE¼NW¼.
T. 3 N., R. 10 W.,
Sec. 24, S½NE¼ and SE¼.
T. 3 N., R. 12 W.,
Sec. 27, SW¼.
T. 3 N., R. 13 W.,
Sec. 7, lots 3 and 4;
Sec. 8, SE¼SE¼;
Sec. 9, S½SW¼ and SW¼SE¼.
T. 4 N., R. 13 W.,
Sec. 31, N½, unsurveyed.
T. 3 N., R. 14 W.,
Sec. 13, NE¼NW¼.
T. 4 N., R. 14 W.,
Sec. 3, lots 1 and 2, S½NE¼, and S½;
Sec. 8, SW¼NW¼ and SW¼SE¼;
Sec. 18, N½NE¼ and SE¼NE¼;
Sec. 21, NE¼;
Sec. 35, NW¼SW¼, S½SW¼, and SE¼;
Sec. 36, N½.
T. 5 N., R. 14 W.,
Sec. 17, lots 1 and 2, W½NE¼, NW¼, and S½;
Sec. 19, lots 1 and 2, E½W½, and E½;
Sec. 20;
Sec. 30, lots 3 and 4, NE¼, and E½W½;
Sec. 31, lots 1, 2, 3, and 4, and E½W½;
Sec. 32, SW¼SW¼.
T. 6 N., R. 14 W.,
Sec. 18, NW¼, N½SW¼, SE¼SW¼, and W½E½, unsurveyed.
T. 5 N., R. 15 W.,
Sec. 3, lots 3 and 4, S½NW¼, N½SW¼, and SE¼SW¼;
Sec. 10, E½NW¼ and NE¼SW¼;
Sec. 11, SW¼NW¼;
Sec. 15, NE¼SE¼;
Sec. 23, E½NW¼ and E½;
Sec. 25, NW¼NE¼, S½NE¼, NW¼, and S½;
Sec. 26, E½NE¼;
Sec. 36, NE¼, NE¼NW¼, and NE¼SE¼.
T. 6 N., R. 15 W.,
Sec. 8, E½E½;
Sec. 9, W½;
Sec. 13, N½, SW¼, N½SE¼, and SW¼ SE¼;
Sec. 14, SE¼;
Sec. 16, W½;
Sec. 17, E½E½;
Sec. 20, NE¼NE¼;
Sec. 21, W½;
Sec. 23, N½NE¼;
Sec. 24, N½NW¼;
Sec. 27, SW¼NW¼;
Sec. 28, N½NW¼, SE¼NW¼, NE¼SW¼, and E½;
Sec. 33, NW¼NE¼ and E½E½;
Sec. 34, W½SE¼.
T. 7 N., R. 15 W.,
Sec. 27, SW¼NW¼ and W½SW¼;
Sec. 28, N½SW¼, SE¼SW¼, and SE¼;
Sec. 29, N½S½ and SW¼SW¼;
Sec. 30, lots 1, 2, and 3, NW¼NE¼, S½ NE¼, E½W½, and SE¼.
T. 7 N., R. 16 W.,
Sec. 10, SW¼SE¼;
Sec. 15, N½, NE¼SW¼, N½SE¼, and SE¼SE¼;
Sec. 16, NE¼NE¼;
Sec. 22, NE¼NE¼;
Sec. 23, NW¼ and NE¼SW¼.
T. 8 N., R. 16 W.,
Sec. 6, SW¼SW¼, unsurveyed.
T. 9 N., R. 17 W.,
Sec. 10, SW¼NW¼, unsurveyed.
T. 10 N., R. 17 W.,
Sec. 6, lots 3, 4, 5, 6, and 7, SW¼NE¼, SE¼ NW¼, E½SW¼, NW¼SE¼, and S½ SE¼;
Sec. 7, lot 1, E½W½, and E½;
Sec. 15, S½;
Sec. 18, E½W½ and E½;
Sec. 21, E½;
Sec. 22;
Sec. 28, E½;
Sec. 30, E½W½ and E½;
Sec. 31, N½NE¼ and SE¼NE¼.
T. 9 N., R. 18 W.,
Sec. 17, W½, unsurveyed.
T. 10 N., R. 18 W.,
Sec. 1, lots 1 and 2, SE¼NE¼ and NE¼ SE¼.
T. 11 N., R. 18 W.,
Sec. 23, SE¼;
Sec. 24, SW¼NW¼, NW¼SW¼, and S½ SW¼;
Sec. 25, S½.
T. 2 S., R. 8 E.,
Sec. 15, E½NW¼ and E½.
T. 4 S., R. 10 E.,
Sec. 8, SE¼SE¼;
Sec. 9, S½SW¼ and SW¼SE¼;
Sec. 17, W½NE¼ and NW¼;
Sec. 18, lots 2, 3, and 4, NE¼NE¼, S½NE¼, SE¼NW¼, E½SW¼, and NW¼SE¼.
T. 4 S., R. 11 E.,
Sec. 7, lots 1 and 2.
T. 5 S., R. 10 E.,
Sec. 6, lots 1 and 2, and S½NE¼.
T. 6 S., R. 10 E.,
Sec. 30, lots 3 and 4, SE¼SW¼, and SW¼ SE¼.
T. 7 S., R. 10 E.,
Sec. 5, lots 1, 2, 3, and 4, S½N½, NE¼ SW¼, and SE¼;
Sec. 6, lot 1;
Sec. 8, E½E½.
T. 8 S., R. 10 E.,
Sec. 27, SE¼SW¼, NW¼SE¼, and S½ SE¼;
Sec. 34, E½NE¼NW¼.

The areas described aggregate approximately 12,856.45 acres in Maricopa County; 16,826.18 acres in Yuma County; and 2,404.66 acres in Pinal County for a total aggregate of approximately 32,087.29 acres.

Dated: July 11, 1967.

GLENDON E. COLLINS,
Acting State Director.

[F.R. Doc. 67-8213; Filed, July 17, 1967; 8:45 a.m.]

National Park Service

[Order No. 1]

ADMINISTRATIVE ASSISTANT

Delegation of Authority Regarding Purchasing

SECTION 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $1,500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C., Sec. 2. Midwest Region Order No. 4 (31 F.R. 5769))

Dated: June 26, 1967.

ELBERT W. SMITH,
Superintendent,
Fort Larned National Historic Site.

[F.R. Doc. 67-8214; Filed, July 17, 1967; 8:45 a.m.]

[Order No. 4, Amdt. 1]

FORESTRY TECHNICIAN, WESTERN TREE PRESERVATION CREW

Delegation of Authority

Southwest Region Order No. 4 (dated Apr. 18, 1966) is amended by addition of section 7 below to grant authority to the Forestry Technician, Western Tree Preservation Crew, to execute and approve contracts for supplies, equipment or services.

SEC. 7. The Forestry Technician, Western Tree Preservation Crew, may execute and approve contracts not in excess of $200 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

Sections previously 7, 8, and 9 are renumbered 8, 9, and 10.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535, 16 U.S.C. sec. 2. Southwest Region Order No. 4 (31 F.R. 8134, June 9, 1966))

Dated: June 26, 1967.

DANIEL B. BEARD,
Regional Director,
Southwest Region.

[F.R. Doc. 67-8215; Filed, July 17, 1967; 8:45 a.m.]

[Order No. 2]

ADMINISTRATIVE OFFICER; CASTILLO DE SAN MARCOS ET AL.

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, or Services

1. Administrative Officer, Castillo de San Marcos. The Administrative Officer may issue purchase orders not in excess of $2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

2. Management Assistant, Fort Caroline National Memorial. The Management Assistant may issue purchase orders not in excess of $500 for supplies, equipment and services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

3. Supervisory Historians, Castillo de San Marcos. The Supervisory Historians may issue purchase orders not in excess of $300 for supplies, equipment and services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

4. Revocation. This order supersedes Order No. 1 issued September 18, 1964.

(National Park Service Order No. 34 (31 F.R. 4255), as amended; 39 Stat. 535, 16 U.S.C. Sec. 2; Southeast Region Order No. 4 (31 F.R. 3135))

Date: June 5, 1967.

L. T. DAVENPORT,
Superintendent.

[F.R. Doc. 67-8216; Filed, July 17, 1967; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR RENEWAL ASSISTANCE, REGION IV (CHICAGO)

Designation

The officers appointed to the following listed positions in Region IV (Chicago) are hereby designated to serve as Acting Assistant Regional Administrator for Renewal Assistance, Region IV, during the absence of the Assistant Regional Administrator for Renewal Assistance, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Renewal Assistance, provided that no officer is authorized to serve as Acting Assistant Regional Administrator for Renewal Assistance unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Regional Administrator for Renewal Assistance.

2. Director, Field Service Division, Renewal Assistance Office.

3. Chief, Rehabilitation Loan and Grant Branch, Renewal Assistance Office.

The designation effective May 19, 1964 (29 F.R. 6510, May 19, 1964), is hereby revoked.

(Delegation May 4, 1962, 27 F.R. 4319; Dept. Interim Order II, 31 F.R. 815, Jan. 21, 1966)

Effective as of the 14th day of June 1967.

JOHN P. MCCOLLUM,
Regional Administrator, Region IV.

[F.R. Doc. 67-8294; Filed, July 17, 1967; 8:47 a.m.]

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION I (NEW YORK)

Designation

The officers appointed to the following listed positions in Region I (New York) are hereby designated to serve as Acting Assistant Regional Administrator for Housing Assistance, Region I, during the absence of the Assistant Regional Administrator for Housing Assistance, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Housing Assistance, provided that no officer is authorized to serve as Acting Assistant Regional Administrator for Housing Assistance unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Regional Administrator for Housing Assistance.

2. Director, Housing Management Division.

3. Director, Housing Development Division.

(Delegation May 4, 1962, 27 F.R. 4319; Dept. Interim Order II, 31 F.R. 815, Jan. 21, 1966)

Effective date. This designation shall be effective as of March 26, 1967.

ANNE M. ROBERTS,
Acting Regional Administrator,
Region I.

[F.R. Doc. 67-8238; Filed, July 17, 1967; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

UNITED STATES LINES, INC.

Notice of Application for Approval of a Cruise

Notice is hereby given that United States Lines, Inc., acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following cruise by the "SS United States":

Departs New York: December 22, 1967; *arrives New York:* January 2, 1968; *itinerary:* Nassau, Cristobal, Curacao, St. Thomas.

Any person, firm or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views, and arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20235, by the close of business on July 28, 1967. In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views

and take such action with respect thereto as in its discretion it deems warranted.

Dated: July 13, 1967.

By order of the Maritime Subsidy Board.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 67-8237; Filed, July 17, 1967; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

NOTICE OF DELEGATION OF AUTHORITY AND ALLOCATIONS AND PRIORITIES FOR TRANSPORTATION DURING CURRENT RAIL STRIKE

Notice is hereby given that the Secretary of Transportation, in carrying out the directions of the President in Executive Order 11362 of July 16, 1967, dealing with the transportation emergency created by the current rail strike, has made certain requests of, and delegation of authority to, the Secretary of Commerce, the Chairman of the Interstate Commerce Commission, and the Chairman of the Civil Aeronautics Board. The requests and delegations are set forth below.

This notice is issued under the authority of section 101(a) of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2071(a)); Executive Order 10480; Executive Order 11362; and section 4(a) of the Department of Transportation Act (80 Stat. 933).

Issued in Washington, D.C., July 17, 1967.

ALAN S. BOYD,
Secretary of Transportation.

THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590,
July 16, 1967.

Hon. WILLIAM H. TUCKER,
Chairman,
Interstate Commerce Commission,
Washington, D.C. 20423.

DEAR MR. CHAIRMAN: I enclose a copy of Executive Order 11362, signed today by the President to deal with the transportation emergency created by the current rail strike. Pursuant to section 2 of the order, the Commissioner of the Interstate Commerce Commission referred to in section 201(a)(3) of Executive Order 10480 is expected to carry out the functions delegated and to implement the priorities established pursuant to section 3 of Executive Order 11362.

This Department and the Office of Emergency Planning have established a list of categories of materials and passengers to be accorded priority movement on the operating transportation facilities within your jurisdiction. This list has been prepared with the concurrence of the Department of Defense and the other interested Executive Departments. I request that you take the necessary steps to assure the prompt and efficient movement of these priority categories.

Materials and passengers not included in the enclosed list may be moved on a space-available basis after all priority items have been accommodated; however, nonpriority materials and passengers once loaded should not be displaced by priority movements, nor should allowable nonpriority baggage accompanying passengers be displaced by priority cargo.

I have designated A. Scheffer Lang, the Federal Railroad Administrator, to coordinate this Department's efforts during the present emergency. I request that you report to Mr. Lang your activities pursuant to Executive Order 11362, as well as such information as he may require to carry out the functions of this Department pursuant to that order.

I assure you that this Department will support your efforts in this emergency and will work with and assist you to the fullest extent of our abilities.

Sincerely,

ALAN S. BOYD.

TRANSPORTATION PRIORITY LIST

During the first few days of a rail strike there should be only a few essential categories of items designated to receive transportation priority. The necessity for moving defense items is generally recognized, along with perishable foods such as fresh meats, poultry, eggs, milk, fresh fruits and vegetables, and fresh fish. Included in this general category also is the need for moving all items essential to the public health, including medical supplies and chemicals essential to water and sewage processing.

The priority list includes:

1. All material moving on Government bills of lading issued by military transportation officers;
2. Material moving on commercial bills of lading specifically certified as essential by defense contract administrators;
3. Essential Government personnel travel including military passengers traveling on Government travel requests;
4. Essential U.S. mail;
5. Fresh meats and poultry;
6. Fresh eggs and milk;
7. Fresh fruits and vegetables;
8. Fresh fish and shellfish;
9. Pharmaceuticals, biologicals, surgical textiles and instruments;
10. Hospital and sickroom supplies and equipment, including diagnostic devices and essential support utilities;
11. Professional dental supplies and equipment;
12. Medical laboratory supplies and equipment;
13. Water and sewage processing and handling supplies and equipment, including chlorine, alum, lime, sulphate of iron, soda ash, and similar chemicals and equipment essential to the continuity of operation of water and sewage installations.

THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590,
July 16, 1967.

Hon. CHARLES S. MURPHY, *Chairman,*
Civil Aeronautics Board,
Washington, D.C. 20428

Dear MR. CHAIRMAN: In view of the current railroad strike, the President has today issued Executive Order 11362, a copy of which is enclosed. Pursuant to this order and further pursuant to section 201(a)(4) of Executive Order 10480, as modified by the assignment of responsibility to this Department under section 4(a) of the Department of Transportation Act of 1966 and the transfer of functions to this Department pursuant to that Act, the Chairman of the Civil Aeronautics Board is hereby delegated authority for the effective duration of Executive Order 11362 to exercise the allocation and priorities powers of the Defense Production Act of 1950, as amended, vested in the Secretary of transportation with respect to air transport.

This Department and the Office of Emergency Planning have established a list of categories of materials and passengers to be accorded priority movement on the operating transportation facilities within your jurisdiction. This list has been prepared with the concurrence of the Department of Defense and the other interested Executive Departments. Pursuant to secton 3 of Executive Order 11362, enclosed, I request that you take the necessary steps to assure the prompt and efficient movement of these priority categories.

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THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590,
July 16, 1967.

Hon. ALEXANDER B. TROWBRIDGE,
Secretary of Commerce,
Washington, D.C. 20230.

DEAR MR. SECRETARY: I enclose a copy of Executive Order 11362, signed today by the

President to deal with the transportation emergency created by the current rail strike. Pursuant to section 2 of the order and section 201(a)(4) of Executive Order 10480, the Secretary of Commerce is expected to carry out the functions delegated with respect to maritime transportation and to implement the priorities established pursuant to section 3 of Executive Order 11362.

This Department and the Office of Emergency Planning have established a list of categories of materials and passengers to be accorded priority movement on the operating transportation facilities within your jurisdiction. This list has been prepared with the concurrence of the Department of Defense and the other interested Executive Departments. I request that you take the necessary steps to assure the prompt and efficient movement of these priority categories.

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12. Medical laboratory supplies and equipment;
13. Water and sewage processing and handling supplies and equipment, including chlorine, alum, lime, sulphate of iron, soda ash, and similar chemicals and equipment essential to the continuity of operation of water and sewage installations.

[F.R. Doc. 67-8384; Filed, July 17, 1967; 11:58 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17407, 17408; FCC 67M-1146]

ALJIR BROADCASTING CO., INC., AND SOUTH KANE-KENDALL BROADCASTING CORP.

Order Continuing Hearing

In re applications of Aljir Broadcasting Co., Inc., Aurora, Ill., Docket No. 17407, File No. BPCT-3818; South Kane-Kendall Broadcasting Corp., Aurora, Ill., Docket No. 17408, File No. BPCT-3896; for construction permit for new television broadcast station (Channel 60).

The Hearing Examiner having under consideration a letter dated July 6, 1967, from counsel for Aljir Broadcasting Co., Inc., expressing the mutual agreement of all counsel for a postponement of the hearing date because of schedule conflicts;

It is ordered, That the hearing date of July 11, 1967, is changed to August 10, 1967.

Issued: July 10, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8253; Filed, July 17, 1967; 8:48 a.m.]

[Docket Nos. 16706-16708; FCC 67M-1159]

ATLANTIC BROADCASTING CO. (WUST) ET AL.

Order Rescheduling Prehearing Conference

In re applications of Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16706, File No. BP-14357; for construction permit; Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16707, File No. BR-1513; for renewal of license; Bethesda-Chevy Chase Broadcasters, Inc., Bethesda, Md., Docket No. 16708, File No. BP-16319; for construction permit.

It is ordered, That the further prehearing conference in the above-entitled proceeding scheduled for Monday, July 31, is hereby rescheduled and will convene instead at 9:30 a.m., on Friday, July 28, 1967, at the Commission's offices, Washington, D.C.

Issued: July 11, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8254; Filed, July 17, 1967; 8:49 a.m.]

[Docket Nos. 17302, 17303; FCC 67M-1127]

BELL TELEPHONE COMPANY OF PENNSYLVANIA AND CONESTOGA TELEPHONE AND TELEGRAPH CO.

Order Rescheduling Hearing

In re applications of The Bell Telephone Co. of Pennsylvania, Docket No. 17302, File No. 1688-C2-P-66; for a construction permit to modify the facilities of Station KGA585 in the Domestic Public Land Mobile Radio Service at Philadelphia, Pa.; The Conestoga Telephone and Telegraph Co., Docket No. 17303, File No. 679-C2-P-66; for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service near Boyertown, Pa.

The Hearing Examiner is in receipt of a communication from counsel for The Conestoga Telephone and Telegraph Co. requesting that the comparative hearing now scheduled for July 10, 1967, be continued;

It appearing, that the applicants herein are in the process of entering into an agreement which counsel state would eliminate the need for a comparative hearing;

It further appearing, that counsel for The Bell Telephone Co., as well as the Commission's Common Carrier Bureau, have no objection to the instant request;

Accordingly, it is ordered, That the request is granted, and the hearing now scheduled for July 10 be and the same is hereby rescheduled for September 12, 1967, 10 a.m., in the Commission's offices, Washington, D.C.

Issued: July 6, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8255; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 17378; FCC 67M-1135]

CABLE VISION, INC.

Order Continuing Hearing

In re petition by Cable Vision, Inc., Lewiston and Auburn, Maine, Docket No. 17378, File No. CATV 100-20; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Portland-Poland Spring Television Market.

On the Examiner's own motion hearing now scheduled for July 24, 1967, is continued to a date to be determined at a prehearing conference to be held at 9 a.m., July 20, 1967.

So ordered.

Issued: July 10, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8256; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 16980; FCC 67M-1110]

MADISON COUNTY BROADCASTING CO., INC. (WRTH)

Order Continuing Further Prehearing Conference

In re application of Madison County Broadcasting Co., Inc. (WRTH), Wood River, Ill., Docket No. 16980, File No. BP-16612; for construction permit.

The Hearing Examiner having under consideration a petition for continuance of prehearing conference filed on July 3, 1967;

It appearing, that no purpose would be served by holding a further conference on July 5 as now scheduled inasmuch as certain pleadings now pending before the Commission have not received final action;

It is ordered, That the aforesaid petition for continuance is granted and the date for further prehearing conference is continued from July 5 to September 6, 1967 at 9:30 a.m.

Issued: July 3, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8257; Filed, July 17, 1967; 8:49 a.m.]

[Docket Nos. 17521, 17522; FCC 67-702]

MESA MICROWAVE, INC., AND VUMORE CO.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re application of Mesa Microwave, Inc., Docket No. 17521, File No. 1833-C1-R-66; for renewal of license of station KLH82, Muenster, Tex.; Vumore Co., Docket No. 17522, File No. 22628-IB-25X; for construction permit for a new microwave point-to-point radio station to provide service to applicant's CATV system at Ardmore, Okla.

1. Mesa Microwave, Inc., seeks renewal of its license for Station KLH82, Muenster, Tex., in the Domestic Public Point-to-Point Microwave Radio Service providing service to its CATV customer, Vumore Co., in Ardmore, Okla. Vumore is a company affiliated with Mesa Microwave. Vumore has filed an application in the Business Radio Service for a construction permit for a new microwave point-to-point radio station to relay the signal of Station KWTV, Oklahoma City, Okla., to its CATV system at Ardmore. In connection with the above-captioned applications we are faced with the question of whether the Vumore CATV system is obligated to afford carriage and program exclusivity to Station KTEN (ABC, NBC, CBS), Ada, Okla., and program exclusivity to Station KXII (NBC, CBS), Ardmore, Okla. and Sherman-Denison, Tex. Ardmore lies within the predicted Grade B contours of KXII and KTEN. Vumore operates a 5-channel CATV system at Ardmore carrying the signals of Stations KWTV (CBS), Oklahoma City, Okla.; KTVT (Indep.), Fort Worth, Tex.; KFDX-TV (NBC), Wichita Falls, Tex.; WFAA-TV (ABC), Dallas-Fort Worth, Tex.; KXII; and KTEN. Stations KTVT and WFAA-TV are brought in by common carrier microwave relay; the other stations are received off-the-air.

2. The previous renewal of Mesa Microwave's license to provide microwave service to Ardmore was conditioned subject to compliance with the carriage and program exclusivity requirements of the rules with respect to KXII and KTEN (FCC 65-967, released Oct. 29, 1965). By memorandum opinion and order, FCC 65-1090, 1 FCC 2d 1601, the Commission denied a Petition for Reconsideration filed by Mesa Microwave in which it sought to have these conditions removed. The Commission ruled with respect to KTEN that no reliance could be placed on Mesa Microwave's measurement data which purported to show that KTEN does not place a measured (as opposed to predicted) Grade B signal over Ardmore. However, as to KXII the Commission stated that independent information available to the Commission raised a factual question as to the quality and reliability of the KXII signal and deferred action on this portion of the petition pending submission of further factual data by the parties.

3. The supplementary information requested by the Commission relating to the KXII signal has been filed by Mesa Microwave and Texoma Broadcasters, Inc., licensee of KXII. Mesa submitted an engineering survey which purports to show that the picture quality of the KXII signal at Ardmore is inferior. KXII states, as before, that Mesa Microwave's measurement data is unreliable and that its signal is being degraded by the Vumore CATV system. As to KTEN, Mesa Microwave has filed in connection with its present renewal application a "Petion for Declaratory Ruling" which contains new measurement data alleging that KTEN does not provide Grade B service to Ardmore. KTEN opposes Mesa Microwave's engineering showing and contends that no reliance should be placed on this measurement data.

4. We have examined the data submitted by the parties and are unable on the basis of this material to make final determinations regarding either the strength of the KTEN signal in Ardmore or the quality and reliability of the KXII signal. Furthermore, independent information available to the Commission raises factual questions as to the strength and quality of these signals on the Vumore CATV system. We will therefore designate these applications for hearing on appropriate issues to resolve these disputed matters so that we may properly determine whether Vumore is required to comply with the carriage and program exclusivity requirements of §§ 21.712 and 91.559 of the rules as to these stations.

5. Since first licensed to Mesa Microwave on January 22, 1960, Station KLH82 has rendered services to a single affiliated CATV system. We have granted previous renewals of the license for Station KLH82 even though compliance with former § 21.709(a) of our rules had not been demonstrated.[1] In filing the instant renewal application, Mesa requested, if necessary, waiver of § 21.709 which provides for only short term renewal (in order to preserve the opportunity to transfer to the Community Antenna Relay Service) for microwave systems unable to comply with the 50 percent tests specified in § 21.709(a) of the Commission's rules for full term renewal. It appears that such waiver would be necessary for a full term renewal. However, on the basis of the record before us, we are not persuaded that grant of such waiver has been justified. Accordingly, an appropriate issue will be included in this hearing to determine whether grant of such waiver would serve the public interest.

6. We find that except for the issues herein designated, Mesa Microwave, Inc., and Vumore Co., as microwave applicants or licensees, are legally, technically, financially, and otherwise qualified to render the services they have proposed.

Accordingly, it is ordered, Pursuant to section 309 of the Communications Act, §§ 21.712, 74.1103, and 91.559 of the Commission's rules, that the above-captioned applications are designated for hearing in a consolfiliated proceeding to the extent reflected in the following issues:

(1) To determine whether Station KTEN, Ada, Okla., provides a signal to Ardmore, Okla., or any part thereof, which meets Grade B field strength requirements.

(2) To determine the quality and reliability of the off-the-air signal of Station KXII.

(3) To determine whether the signal of Station KXII is materially degraded and, if so, the source of the degradation.

(4) To determine whether, in view of the findings adduced under issues 1-3, the Vumore CATV system should be required to afford carriage and program exclusivity, as provided by §§ 21.712, 74.1103, and 91.559 of the rules, to Station KTEN and program exclusivity to KXII.

(5) To determine whether the services rendered by Station KLH82 comply with the requirements of § 21.709 (a) of the Commission's rules, and, if not, whether waiver of the requirements of § 21.709 would serve the public interest.

(6) To determine, in the light of the evidence adduced on the foregoing is-

[1] On Oct. 30, 1961, we granted a 2-year renewal because the facilities had only been in operation for a little over 1 year which did not appear to afford sufficient time in which to effect compliance with our rule requiring service to independent subscribers. A second renewal was granted on Oct. 27, 1965, by our order (FCC 65-967) until Feb. 1, 1966, without determining compliance with former § 21.709(a) in order to preserve the opportunity for election under § 21.709, as amended.

sues, whether grant of either or both of the subject applications would serve the public interest, convenience, or necessity. Eastern Oklahoma Television Co., Inc., licensee of Station KTEN, and Texoma Broadcasters, Inc., licensee of Station KXII, are made parties to this proceeding and to participate must comply with the applicable provisions of § 1.221 of the Commission's rules. Mesa Microwave, Inc., will have the burden of proof with respect to issues 1, 3, 4, and 5; Texoma has the burden with respect to issue 2. A time and place for the hearing will be specified in another order.

It is further ordered, That the "Petition for Declaratory Ruling" filed by Mesa Microwave, Inc., on February 28, 1966, is denied.

It is further ordered, That the "Petition to Deny", filed by Eastern Oklahoma Television Co., Inc., licensee of Station KTEN, Ada, Okla., on March 16, 1965, is granted to the extent indicated above, but is otherwise denied.

It is further ordered, That the "Petition to Deny or to Condition Grant", filed by Texoma Broadcasters, Inc., licensee of Station KXII, Ardmore, Okla., on July 7, 1965, is granted to the extent indicated above, but is otherwise denied.

It is further ordered, That the "Petition for Immediate Grant", filed by Vumore Co. on April 15, 1966, is denied.

Adopted: June 14, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8258; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 17559; FCC 67M-1126]

NORTH SHORE BROADCASTING CORP. (WESX)

Order Scheduling Hearing

In re application of North Shore Broadcasting Corp., (WESX), Salem, Mass., Docket No. 17559, File No. BP-16938; for construction permit.

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 13, 1967, at 10 a.m.; and that a prehearing conference shall be held on July 18, 1967, commencing at 9 a.m. *And, it is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: June 30, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8259; Filed, July 17, 1967; 8:49 a.m.]

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[2] The statements in which Commissioner Bartley dissents and in which Commissioner Cox concurs in part and dissents in part filed as part of the original document; Commissioner Loevinger concurs in the result; Commissioner Wadsworth absent.

[Docket No. 17569; FCC 67-782]

PEAK AIR CONDITIONER CO.

Order Designating Application for Hearing on Stated Issues

In the matter of Peak Air Conditioner Co., Chicago, Ill., Docket No. 17569; application for authorization in the citizens radio service.

The Commission had under consideration the above-entitled application for a Class D radio station license in the Citizens Radio Service. The applicant is a business partnership composed of Norbert Siegler, Lynn Siegler, and Gerold Siegler.

There are substantial questions as to:

(a) Whether Norbert Siegler or Lynn Siegler operated a radio transmitter, in violation of section 301 of the Communications Act of 1934, as amended;

(b) Whether Norbert Siegler, while operating a radio transmitter on Citizens Radio Services frequencies, engaged in conduct prohibited by the Commission's rules governing that service; and

(c) Whether Norbert Siegler made false statements to Commission personnel inspecting a radio station located on his premises.

In view of these questions, the Commission is unable to find that a grant of the captioned application would serve the public interest, convenience and necessity and must, therefore, designate the application for hearing. Except for the issues specified herein, the applicant is otherwise qualified to hold a Citizens Radio Service license.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's rules, that the captioned application is designated for hearing at a time and place to be specified by subsequent order upon the following issues:

(1) To determine whether Norbert Siegler or Lynn Siegler operated radio apparatus in violation of section 301 of the Communications Act of 1934, as amended.

(2) To determine whether Norbert Siegler, while operating such radio apparatus on Citizens Radio Service frequencies, engaged in conduct which, had he been licensed, would have been prohibited by §§ 95.95(c), 95.83(b), and 95.43 of the Commission's rules.

(3) To determine whether Norbert Siegler made a false representation to Commission personnel inspecting the radio station located on his premises.

(4) To determine whether, since Norbert and Lynn Siegler are principals in the applicant partnership, and in light of the evidence adduced with respect to the foregoing issues, the applicant possesses the requisite qualifications to be a licensee of the Commission.

(5) To determine whether, in light of the evidence adduced with respect to the foregoing issues, a grant of the captioned application would serve the public interest, convenience and necessity.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission in triplicate a written appearance stating an intent to appear on the date fixed for hearing and present evidence on the issues specified in this order; and

It is further ordered, That the Chief, Safety and Special Radio Services Bureau, shall, within 10 days after the release of this order, furnish a Bill of Particulars to the applicant herein setting forth the basis for the above issues.

Adopted: July 5, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8260; Filed, July 17, 1967; 8:49 a.m.]

[Docket Nos. 17316, 17317; FCC 67R-291]

ROVAN TELEVISION, INC., AND ROMAC MACON CORP.

Memorandum Opinion and Order Enlarging Issues

In re applications of Rovan Television, Inc., Macon, Ga., Docket No. 17316, File No. BPCT-3571; Romac Macon Corp., Macon, Ga., Docket No. 17317, File No. BPCT-3684; for construction permit for new television broadcast station.

1. The above applications for a construction permit for a new UHF television station (Channel 24) were designated for hearing by Commission order FCC 67-362, adopted March 22, 1967, and released March 30, 1967. Now before the Review Board is a motion to enlarge issues, directed against Romac Macon Corp. (Romac), and filed by Rovan Television, Inc. (Rovan) on April 21, 1967.[1] The issues in the hearing were first published in the FEDERAL REGISTER on April 4, 1967 (32 F.R. 5527). Accordingly, the motion is untimely, since, under Rule 1.229(b), it should have been filed no later than 15 days after the above FEDERAL REGISTER publication, i.e., no later than April 19, 1967. Rovan has not attempted to set forth why the motion could not have been timely filed; thus, good cause for the delay in filing cannot be found, and the motion will not be granted. Rule 1.229(b).

2. Consistent with the approach announced by the Board in The Edgefield-Saluda Radio Co., 5 FCC 2d 148, 8 RR 2d 611 (1966), and with a view to ascertaining whether the issues requested by Rovan should be added notwithstanding the lateness of the petition, the Board has examined the pleadings to determine whether (a) serious public interest questions are presented, and (b) the likelihood of proving the respective allegations

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[1] Also before the Board are comments filed by the Broadcast Bureau on May 15, 1967, an opposition filed by Romac on May 16, 1967, and a reply filed by Rovan on May 29, 1967. Each of the last two pleadings was accompanied by a petition for acceptance of late filed pleading setting forth good cause for the untimely filing.

is so substantial as to outweigh the public interest benefits inherent in the orderly and fair administration of the Commission's business. Based on that examination it is the Board's view that, except as to the matter discussed in the paragraph next below, Romac has satisfactorily refuted or otherwise overcome the Rovan allegations, and that evidentiary inquiry along the lines suggested by Rovan would not be productive.[3] With respect to a requested Suburban programing issue, Romac has demonstrated that it has adequately surveyed Macon's needs, and that its proposed programing is reasonably related to the survey.[4] And with respect to "good faith" allegations and related "real principal in control" allegations, Romac's explanations as to how Hopper came to be a subscriber of a majority of Romac's stock and as to Hopper's role in Romac's future affairs are adequate and credible.[4]

3. In the Romac Baton Rouge case cited in note 4, supra, the Board added qualifications issues to determine whether Romac Baton Rouge failed to disclose material facts in its application and/or failed to keep its application up to date. In Miss Lou Broadcasting Corp., FCC 67-698 (released June 26, 1967), a proceeding in which Romac Baton Rouge is seeking a construction permit for a new FM broadcast station in Baton Rouge, the Commission, noting the Board's action in the Baton Rouge television proceeding, specified the same qualifications issues for the FM proceeding. The Commission further provided that the same Hearing Examiner preside in both Baton Rouge proceedings, and that the "common qualifications issue [be] heard at one time with all the parties participating." The pleadings now before the Board indicate that the same questions under Rule 1.65 are present with respect to the Romac Macon television application, and the Board believes that a procedure patterned on that adopted by the Commission in the Miss Lou case should be followed here. Accordingly, the Board is adding the appropriate issues in the instant case, but is directing that they be heard in the Baton Rouge proceeding, Rovan and Romac to be admitted as parties to that proceeding for the limited purpose of participating with respect to the common qualifications issues. The determinations as to those issues in the latter proceeding will, of course, be dispositive of the issues in the instant proceeding. Cf. KFNF Broadcasting Corp., FCC 63R-99, 24 RR 1170, and Edina Corp., FCC 63R-101, 24 RR 1167.[5]

Accordingly, it is ordered, That the petitions to accept late pleadings, filed by Romac Macon Corp. and Rovan Television, Inc., on May 16, 1967, and May 29, 1967, respectively, are granted; and that the motion to enlarge issues, filed by Rovan Television, Inc., on April 21, 1967, is denied.

It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issues:

To determine whether Romac Macon Corp. and Romac Baton Rouge Corp. submitted complete and accurate information in response to the Commission's application form, FCC 301, and have continued to keep the Commission advised of "substantial and significant changes" as required by § 1.65 of the Commission's rules.

To determine in light of the evidence adduced under the foregoing issue whether Romac Macon Corp. possesses the requisite qualifications to be a broadcast licensee of this Commission.

It is further ordered, That the above issues are consolidated into the proceedings in Docket No. 17005 (Romac Baton Rouge Corp.); and that Rovan Television, Inc., and Romac Macon Corp. be admitted as parties to that proceeding for the limited purpose set forth above.

Adopted: July 10, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[6]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8261; Filed, July 17, 1967; 8:49 a.m.]

[Docket Nos. 17316, 17317; FCC 67M-1131]

ROVAN TELEVISION, INC., AND ROMAC MACON CORP.

Order Rescheduling Hearing

In re applications of Rovan Television, Inc., Macon, Ga., Docket No. 17316, File No. BPCT-3571; Romac Macon Corp., Macon, Ga., Docket No. 17317, File No. BPCT-3684; for construction permits.

A further prehearing conference in the above-entitled proceeding was held today. As the record shows, the parties, through counsel, have negotiated an agreement which, if approved, looks towards the dismissal of the Romac Macon Corp. application and will render moot the standard comparative issue. The application of Rovan Television, Inc., however, would have to be retained in hearing status in order to resolve financial questions raised in issue 1 of the order designating the applications for hearing. It is contemplated that Rovan Television, Inc., will seek to provide satisfactory answers to these questions in an admendment to its application. The applicants have committed themselves to submit a joint petition for approval of their settlement agreement by no later than the close of business July 17. In the meantime, the hearing is to be postponed from July 24 to Friday, September 8, at 9 a.m.;

Accordingly, it is ordered, That the hearing in the above entitled proceeding is hereby rescheduled and will convene at 9 a.m., on Friday, September 8, 1967, at the Commission's offices, Washington, D.C.

Issued: July 7, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8262; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 17561; FCC 67M-1125]

SANFORD SCHAFITZ

Order Scheduling Hearing

In re application of Sanford Schafitz, Farrell, Pa., Docket No. 17561, File No. BPH-5281; for construction permit.

It is ordered, That James D. Cunningham shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 13, 1967, at 10 a.m.; and that a prehearing conference shall be held on July 18, 1967, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: June 30, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8263; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 15871; FCC 67M-1142]

SOUTHINGTON BROADCASTERS

Memorandum Following Prehearing Conference

In re application of Fitzgerald C. Smith trading as Southington Broadcasters, Southington, Conn., Docket No.

[3] Cf. Washington Broadcasting Co., 5 FCC 2d 387, 8 RR 2d 872 (1966).

[4] The Broadcast Bureau's support for this issue was premised on an assumption that Romac had not made an appropriate survey, an assumption overcome by Romac's opposition.

[4] As the Broadcast Bureau points out, the Rovan allegations here are similar to the "trafficking" allegations lodged in another proceeding against a Baton Rouge television applicant having ownership in common with Romac Macon. For the Board's order denying a request for a trafficking issue in the prior proceeding, see Romac Baton Rouge Corp., 7 FCC 2d 504, 9 RR 2d 1029 (1967).

[5] The Board notes that Hearing Examiner Isadore A. Honig is the presiding officer in the two Baton Rouge proceedings, and that Hearing Examiner David I. Kraushaar is the presiding officer in the instant proceeding. It further notes that by order FCC 67M-1096 (released June 30, 1967) in the Baton Rouge television proceeding, Examiner Honig provided for an exhibit exchange date of July 13, 1967, and a hearing date of Aug. 3, 1967. It may be that extensions of time with respect to those dates will be appropriate should Rovan elect to participate in that proceeding with respect to the 1.65 issues. Whether both Examiners should preside with respect to the common issues, or whether reassignments should be made to the end that one Examiner hear all three cases, are questions left to the discretion of the Chief Hearing Examiner.

[6] Board Members Nelson and Pincock absent.

15871, File No. BP-16405; for construction permit.

At a prehearing conference held today, only the applicant and the Broadcast Bureau entered appearance. At the conference, ways and means of proceeding to another hearing were discussed. Future procedural steps and a timetable governing them were worked out and are set forth below. The distant hearing date was occasioned by the condition of the Examiner's own docket.

October 9, 1967—Applicant will exchange its direct presentation.

November 1, 1967—Applicant will be notified of the witnesses the Bureau wants to cross examine.

November 13, 1967—Hearing.

So ordered.

Issued: July 7, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8264; Filed, July 17, 1967; 8:49 a.m.]

[Docket No. 17560; FCC 67-758]

V.W.B., INC.

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of V.W.B., Inc., Bridgeton, N.C., Docket No. 17560, File No. BP-16766; Requests: 1380 kc, 5 kw, Day, Class III; for construction permit.

1. The Commission has before it for consideration (a) the above application; (b) petitions to deny the application by Jefferay Broadcasting Corp. and New Bern Broadcasting Co., Inc., licensees of Stations WRNB and WHIT, respectively, of New Bern, N.C.; and (c) pleadings in opposition and reply thereto.

2. Each petitioner bases its claim of standing as a party in interest on the allegation that the proposed new station would be located within its service area and compete with it for advertising revenue. The Commission finds that petitioners have standing as parties in interest within the purview of section 309(d)(1) of the Communications Act of 1934, as amended, and § 1.580(i) of the Commission's rules. FCC v. Sanders Bros. Radio Station, 309 U.S. 470 (1940).

3. Petitioners request designation of the application for hearing with a 307(b) suburban issue[1] specified for the purpose of determining whether the applicant is realistically proposing to become a New Bern rather than a Bridgeton[2] mentioned Policy Statement, however, no presumption to that effect arises because New Bern's population is under 50,000. Nevertheless, petitioners claim that the applicant should be required to meet the burden under the 307(b) suburban issue because the proposal covers all of New Bern with a signal of at least 25 mv/m; Bridgeton's children attend New Bern's schools in grades 7 through 12; and Bridgeton has no drugstores, clothing stores, jewelry stores, appliance stores, automobile dealers, banks, physicians, dentists, or lawyers. Thus, petitioners conclude that Bridgeton is economically and otherwise dependent upon New Bern.

4. In opposition, the applicant states that although Bridgeton is a small town, it is incorporated and has a life of its own apart from New Bern. The applicant further states that the residents of New Bern represent less than 30 percent of the total population of Craven County which is 58,773; that in addition to the rural population of Craven County large portions of adjacent Jones, Pamlico, and Beaufort Counties are underserved; and that the proposed station in serving these areas could rely on sources of revenue outside of New Bern.

5. In adopting the aforementioned policy, we determined that applications specifying one community would be presumed, for 307(b) purposes, to be proposing realistically to serve another larger community if the proposed 5 mv/m contour penetrated the city limits of the larger community and the larger community had at least twice the population of the smaller and contained at least 50,000 persons. This 5 mv/m—50,000 population test, however, was not meant to serve as an inflexible standard. In the last paragraph of the policy statement,[3] we acknowledged the right of interested parties to attempt to raise the issue on petition and stated that such attempts would receive favorable consideration if the petitioner could make a threshhold showing that the proposal would realistically serve primarily a community other than the one specified. This is not to say that the burden a petitioner must carry under these circumstances is a light one. We are not going to designate applications for hearing merely because they happen to place a strong signal over a somewhat larger community, because to do so would certainly disrupt our processes and enable existing stations to delay the establishment of competitive broadcast facilities. But where, as here, the proposed power is greatly in excess of that needed to provide adequate coverage of the specified community and its immediate environs, and what is more significant, where there is such a great disparity in the relative size of the towns,[4] we believe a 307(b) suburban issue is warranted. Furthermore, we note that, although the proposed power and the relative size of the communities alone support this conclusion, these factors assume added significance when coupled with the fact that this proposal would not have been accepted for filing, due to prohibited overlap received, if it had specified the larger town.[5]

6. In its petition, Jefferay Broadcasting Corp. (WRNB) requested that an issue be specified to determine whether the applicant is financially qualified to construct and operate the proposed station. We find that the applicant's financial showing is not current and for that reason it will be necessary for the applicant to establish its qualifications in hearing. Since this action is being taken on our motion, there is no need for us to rule on WRNB's specific allegations.

7. Except as indicated by the issues specified below, the applicant is qualified. However, in view of the foregoing, the Commission is unable to find that a grant of the application would serve the public interest, convenience and necessity, and is of the opinion that it must be designated for hearing on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive service from the proposed operation of the applicant and availability of other primary service to such areas and populations.

2. To determine whether the applicant is financially qualified to construct and operate its proposed station.

3. To determine whether the proposal of V.W.B., Incorporated will realistically provide a local transmission facility for its specific station location or for another larger community, in the light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs;

(b) The extent to which needs of the specified station location are being met by existing standard broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programing needs of the specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

4. To determine, in the event that it is concluded pursuant to the foregoing issue (a) that the proposal of the applicant will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to New Bern, N.C.

5. To determine, in the light of the evidence adduced pursuant to the fore-

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transmission service. Under the afore-

[1] Policy statement on section 307(b) considerations for standard broadcast facilities involving surburban communities, FCC 65-1153, 6 RR 2d 1901.

[2] According to the 1960 U.S. Census, the populations of New Bern and Bridgeton are 15,717 and 638, respectively.

[3] Note 1, supra, at 1907.

[4] Bridgeton's population is only 4 percent as large as New Bern's.

[5] Since WRNB and WHIT are licensed to New Bern, the first station exception to section 73.37(a) would not have been available to a prospective applicant seeking to serve that community.

going issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That the aforementioned petitions are granted to the extent indicated above and are denied in all other respects.

It is further ordered, That Jefferay Broadcasting Corp. and New Bern Broadcasting Co., Inc., licensees of standard broadcast stations WRNB and WHIT, respectively, both of New Bern, N.C., are made parties to the proceeding.

It is further ordered, That, in the event of a grant of this application, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 28, 1967.

Released: July 7, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[*]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8265; Filed, July 17, 1967; 8:50 a.m.]

[Docket No. 17560; FCC 67M-1124]

V.W.B., INC.

Order Scheduling Hearing

In re application of V.W.B., Inc., Bridgeton, N.C., Docket No. 17560, File No. BP-16766; for construction permit.

It is ordered, That Charles J. Frederick shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 15, 1967, at 10 a.m.; and that a prehearing conference shall be held on July 20, 1967, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: June 30, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8266; Filed, July 17, 1967; 8:50 a.m.]

[*] Commissioner Johnson absent.

FEDERAL MARITIME COMMISSION

GREAT LAKES TERMINALS ASSOCIATION

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Thomas D. Wilcox, Attorney, 1625 K Street NW., Washington, D.C. 20006.

Agreement No. T-2065 provides for the creation of the Great Lakes Terminal Association composed of the following parties:

Seaway Port Authority of Duluth, Duluth, Minn.
Ceres, Inc., Toledo, Ohio.
Pier, Inc., Milwaukee, Wis.
Stearns Milwaukee Marine Terminal, Inc., Milwaukee, Wis.
Morelli Overseas Export Service of Wisconsin, Inc., Kenosha, Wis.
Nicholson Cleveland Terminal Co., Cleveland, Ohio.
Chicago Terminals, Inc., Chicago, Ill.
Leicht Transfer & Storage Co., Green Bay, Wis.
Hansen Seaway Service, Ltd., Milwaukee, Wis.
Calumet Harbor Terminal, Chicago, Ill.
Great Lakes Storage & Contracting Corp., Chicago, Ill.
North Pier Terminal, Chicago, Ill.
Rogers Terminal & Shipping Corp., Chicago, Ill.
Transoceanic Terminal Corp., Chicago, Ill.
West Michigan Dock & Market Corp., Muskegon, Mich.
Bay City Seaway Terminal, Bay City, Mich.
Wickes Marine Terminal, Bay City, Mich.
Detroit Harbor Terminals, Inc., Detroit, Mich.
The Cleveland Stevedore Co., Cleveland, Ohio.
Lederer Terminal Warehouse Co., Cleveland, Ohio.
Toledo Overseas Terminals Co., Toledo, Ohio.
Pinney Dock & Transport Co., Ashtabula, Ohio.

Pursuant to the terms of the agreement the members agree to (1) confer, consult and discuss rates, rules, and regulations pertaining to marine terminal operations on and about the Great Lakes and their tributaries; (2) confirm by affirmative vote of three-fourths of the parties' rates, rules, and regulations; *Provided,* That each member will retain the right of independent action after giving other parties 30 days written notice of intent to do so; (3) publish rates, rules, and regulations, or charges thereto in either individual tariffs or a joint tariff, with at least 30 days advance filing before the effective date thereof unless for good cause it is agreed that a lesser time is necessary; (4) observe and charge, without deviation, rates, rules, and regulations agreed upon pursuant to the agreement, except upon the right of independent action provided for; (5) permit eligible marine terminal operators to become members of the Association; (6) maintain minutes of meetings, records or proposals, and actions taken pursuant to the agreement and to file same with the Federal Maritime Commission; and (7) provide for hearing and considering shippers' requests and complaints.

Dated: July 13, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8238; Filed, July 17, 1967; 8:47 a.m.]

AMERICAN GREAT LAKES MEDITERRANEAN EASTBOUND FREIGHT CONFERENCE

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should

also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elliott B. Nixon, Burlingham, Underwood, Barron, Wright & White, 25 Broadway, New York, N.Y. 10004.

Agreement 9000–3, between the member lines of the American Great Lakes Mediterranean Eastbound Freight Conference, modifies the basic agreement to provide: (1) For the deletion of Article III and the substitution of the following language in lieu thereof:

3.1 Any member which fails to provide a sailing in the trade for a period of six (6) consecutive months during the same or consecutive Great Lakes shipping seasons shall thereafter become subject to expulsion from the Conference pursuant to the provisions of Article IV hereof. Except as provided in Article 12.2(b), no such inactive Member shall have any right to vote until it has furnished satisfactory evidence of its ability and intention to resume and maintain regular service in the trade.

(2) For the deletion of the present provision of Article 12.2(b) and substitution of the following provision in lieu thereof:

No inactive Member, as described in Art. 3.1, shall be entitled to vote on any matter except upon the amendment of this agreement.

(3) For an increase in the present amount of the admission fee from $1,250 to $5,000, and other changes in conformity therewith.

Dated: July 13, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67–8239; Filed, July 17, 1967; 8:47 a.m.]

MEDITERRANEAN–U.S.A. GREAT LAKES WESTBOUND FREIGHT CONFERENCE

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Elliott B. Nixon, Esq., Burlington, Underwood, Barron, Wright & White, 25 Broadway, New York, N.Y. 10004.

Agreement 8260–11, between the member lines of the Mediterranean-U.S.A. Great Lakes Westbound Freight Conference, amends Article 8 of the basic agreement by deleting the last three paragraphs and substituting the following provisions in lieu thereof:

Wherever reference is made in this Agreement to voting by, or presence at meetings of, all or a specified proportion of the membership, such reference shall be deemed to mean only those Member Lines entitled to vote.

Any Member which fails to provide a sailing in this trade for a period of six (6) consecutive sailing months (November, December, January, February, and March excepted) during the same or consecutive Great Lakes shipping seasons, shall thereafter become subject to expulsion from the Conference pursuant to the provisions of the second paragraph of Article 11 hereof. No such inactive Member shall have any right to vote, except upon proposed change in this Agreement, until it has furnished satisfactory evidence of its ability and intention to resume and maintain regular service in the trade.

Notice of suspension or restoration of voting rights or of any change in the Conference Membership shall be promptly furnished to the Federal Maritime Commission.

Dated: July 13, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67–8240; Filed, July 17, 1967; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CS67–76, etc.]

CRA, INC., ET AL.

Findings and Order

JULY 7, 1967.

Findings and order after statutory hearing issuing small producer certificates, terminating certificates, canceling rate schedules, severing proceedings, terminating proceedings, making rate changes effective, granting relief, and requiring proper refund assurance.

Each Applicant herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a small producer certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications.

Each Applicant is presently authorized to sell natural gas from the Permian Basin area. The small producer certificates issued herein shall be effective as of the date of this order.

The certificates heretofore issued to Applicants will be terminated and certain related rate schedules will be canceled. Each Applicant has certain rate schedules on file with initial rates collected pursuant to permanent or conditioned temporary certificates or with increased rates, effective subject to refund, which exceed the applicable area base rates prescribed in Opinion No. 468. To permit Applicants to continue collecting the existing rates, such related rate schedules and applicable suspension proceedings will not be terminated with the issuance of the small producer certificates.

McAlester Fuel Co., Applicant in Docket No. CS67–77, proposes to have its suspended rate of 18.4138 cents per Mcf in Docket No. RI65–140 made effective subject to refund as of the date of this order. By the order issued in Docket No. RI65–140 on October 9, 1964, action on the proposed rate increase was deferred pending final determination of a complaint filed by Pan American Petroleum Corp. in regards to the New Mexico Emergency School Tax; the rate has never been made effective. The proposed rate will be made effective subject to refund, under McAlester Fuel Co., FPC Gas Rate Schedule No. 2, as of the date of this order, provided an appropriate agreement and undertaking is filed in compliance with section 154.102 of the Commission's regulations within 30 days of issuance of the small producer certificate.

Petroleum Exploration, Inc., of Texas, Applicant in Docket No. CS67–82, has a current effective rate of 17.2295 cents per Mcf being collected under a conditioned temporary certificate. Petroleum Exploration will be advised of its refund obligation, as may be determined by the Commission, for sales of gas made prior to and after September 1, 1965, at rates in excess of the applicable area base rate under the conditioned temporary certificate issued in Docket No. CI63–368.

A. R. Eppenauer, FPC Gas Rate Schedule No. 4 will not be terminated. The current rate under said rate schedule is below the applicable area base rate; however, Eppenauer, Applicant in Docket No. CS67–83, has indicated that he will file for an increased rate due under his contract. Said increased rate will exceed the applicable area base rate.

The suspension proceeding in Docket No. RI64–698 will be severed from the "Order to Show Cause" issued concurrently with Opinion No. 468 and will be terminated. The proposed rate under United States Smelting Refining & Mining Co., FPC Gas Rate Schedule Nos. 14 and 15 will be made effective, without refund obligation, as of September 1, 1965, inasmuch as the suspended rate (not made effective subject to refund) is below the applicable area base rate.

Applicants will be advised that, pending final judicial review of the Permian Basin Opinions, they will be authorized to continue to collect rates in excess of the applicable Permian Basin area base rates, for sales authorized prior to September 1, 1965, and such rates will be subject to rejection as of the date of the order granting the small producer certificates herein, in the event the

court stay of the Permian Opinion Nos. 468 and 468–A is dissolved or the moratorium provisions of the opinions are upheld upon judicial review. The collection of such rates will also be subject to the refund provisions of ordering paragraph (D) of Opinion No. 468, as well as refund provision of any applicable suspension proceeding.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice no petition to intervene, notice of intervention, or protest to the granting of the applications has been received.

At a hearing held on June 29, 1967, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and each is, therefore, a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sale of natural gas hereinbefore described, as more fully described in the applications herein and in the Appendix hereto, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by Applicants, together with the construction and operation of any facilities will be subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) Applicants are independent producers of natural gas who are not affiliated with natural gas pipeline companies and whose total jurisdictional sales on a nationwide basis, together with sales of affiliated producers, were not in excess of 10 million Mcf at 14.65 p.s.i.a. during the preceding calendar year.

(5) The sales of natural gas by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and a small producer certificate of public convenience and necessity therefor should be issued as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to Applicants are terminated and certain related rate schedules, as set forth in the Appendix, are canceled.

The Commission orders:

(A) Small producer certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing the sale for resale and the delivery of natural gas in interstate commerce by Applicants from the Permian Basin area of Texas and New Mexico, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as more fully described in the applications in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission and particularly,

(a) The subject certificate shall be applicable only to all present and future "small producer sales," as defined in § 157.40(a)(3) of the regulations under the Natural Gas Act, from the Permian Basin area;

(b) Except where otherwise authorized in this order, sales made under these small producer certificates shall not be at rates in excess of those set forth in § 157.40(b)(1) of the regulations under the Natural Gas Act; however, for sales authorized prior to September 1, 1965, Applicants may file notices of changes in rate for any contractually authorized rates in excess of the ceiling rates, which increased rates shall be subject to suspension pursuant to section 4(e) of the Natural Gas Act and subsequently may be rejected as of the date of filing, as provided by the order granting relief issued February 6, 1967, in Docket No. CS66–48 et al.;

(c) Applicants shall file annual statements pursuant to § 154.104 of the regulations under the Natural Gas Act.

(C) The certificates granted in paragraph (A) above shall remain in effect for small producer sales until the Commission on its own motion or on application terminates said certificates because Applicants no longer qualify as "small producers" or fail to comply with the requirements of the Natural Gas Act, the regulations thereunder, or the terms of the certificates. Upon such termination Applicants will be required to file separate certificate applications and individual rate schedules for future sales. To the extent compliance with the terms of this order is observed, the small producer certificates will still be effective as to those sales already included thereunder.

(D) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicants. Further our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provision in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales subject to said certificates.

(E) The certificates issued herein shall be effective on the date of this order.

(F) The certificates issued heretofore to Applicants are terminated and certain related rate schedules, as set forth in the Appendix, are canceled.

(G) McAlester, Applicant in Docket No. CS67–77, is authorized to collect 18.4138-cent rate subject to the refund provisions of paragraphs (H) and (I) hereof.

(H) Within 30 days from the issuance of this order McAlester Fuel Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI65–140 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(I) McAlester Fuel Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by McAlester Fuel Co. in Docket No. RI65–140 shall remain in full force and effect until discharged by the Commission.

(J) The suspension proceeding in Docket No. RI64–698 is severed from the "Order to Show Cause" issued concurrently with Opinion 468 and said proceeding is terminated. The proposed rate under United States Smelting Refining & Mining Co., Applicant in Docket No. CS67–85, FPC Gas Rate Schedule Nos. 14 and 15, is made effective, without refund obligation, as of September 1, 1965, inasmuch as the suspended rate is below the applicable area base rate.

(K) Applicants, pending final judicial review of the Permian Basin Opinion, are authorized to continue to collect rates in excess of the applicable Permian Basin area base rates for sales authorized prior to September 1, 1965, and such rates are subject to rejection as of the date of this order in the event the court stay of the Permian Opinion Nos. 468 and 468–A is dissolved or the moratorium

provisions of the opinions are upheld upon judicial review. The collection of such rates is also subject to the refund provisions of ordering paragraph (D) of Opinion No. 468, as well as the refund provisions of any applicable suspension proceeding.

(L) The issuance and termination of certificates and the cancellation of rate schedules herein shall not relieve Applicants from compliance with any orders which have been or may be issued in Applicants' pending rate proceedings and in the proceeding in Docket No. AR61–1 et al., including refund obligations, and from the submission of refund reports for sales made at rates in excess of the applicable area base rates prior to and after September 1, 1965, and the date of this order; nor shall any action taken herein be construed to relieve Applicants from the obligations of making refunds for sales commenced pursuant to conditioned or unconditioned temporary certificates if the Commission finds that such refunds are required.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX

Docket No. (1)	Applicant (2)	FPC gas rate schedules to be canceled (3)	FPC gas rate schedules not to be canceled (4)	Certificate dockets to be terminated (5)	Suspension dockets to be terminated (6)	Suspension dockets not to be terminated (7)
CS67–76	CRA, Inc	9		G–17853		
			10	G–18140		G–20411.[1]
CS67–77	McAlester Fuel Co		2	G–6004		G–19824.[1]
						RI65–140.[2 9]
CS67–82	Petroleum Exploration, Inc., of Texas et al		[4] 11	CI62–388 [5]		
			[4] 12	CI63–412		
CS67–83	A. R. Eppenauer		3	G–17383		G–20524.[1]
CS67–84	Rutter & Wilbanks Brothers, Operator et al		[6] 4	G–17389		
			[7] 1	G–6002		RI60–155.[1]
			[7] 2	G–15201		RI60–155.[1]
			[7] 3	G–15202		RI60–155.[1]
			[7] 4	G–17038		RI60–155.[1]
		[7] 5		CI60–407		
			[6] 7	CI63–1145		
			8	CI63–1530		
			[6] 9	CI64–977		
CS67–85	United States Smelting Refining and Mining Co., Operator et al.	5		G–8566		
			11	G–14349		
		13		CI62–815		
		14		CI61–176	RI64–606 [8]	
		15		CI61–214	RI64–606 [8]	
		17		CI63–380 [8]		
CS67–91	B. W. P., Inc		1	CI62–1183		RI60–116.[1 9]

[1] Consolidated in Opinion No. 468.
[2] Consolidated in the "Order to Show Cause" issued Aug. 5, 1965, in Docket No. AR61–1 et al.
[3] Rate of 18.4138 cents per Mcf suspended until Jan. 23, 1968 (not made effective subject to refund).
[4] Et al.
[5] Conditioned temporary certificate (conditioned initial rate of 17.2205 cents per Mcf to possible refund to a floor of 11.0 cents per Mcf)—Consolidated in the same "Order to Show Cause."
[6] Effective rate under rate schedule is below area base rates; however, Applicant has indicated it will file for increased rate in excess of base rates in the near future.
[7] (Operator) et al.
[8] Conditioned temporary certificate.
[9] Vem Oil, Inc., predecessor to B. W. P., Inc., is a co-respondent to the rate suspension proceeding.

Docket No. _____

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent _____)

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. _____ (and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto[1]) this _____ day of _____, 196__.

(Name of Respondent)
By _____

Attest:

_____

[F.R. Doc. 67–8152; Filed, July 17, 1967; 8:45 a.m.]

[1] If a corporation.

[Docket Nos. RI67–474, etc.]

PLACID OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JULY 7, 1967.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 23, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-474	Placid Oil Co. (Operator) et al., 2500 First National Bank Bldg., Dallas Tex. 75202, Attn: Paul W. Hicks, Esq.	22	5	Natural Gas Pipeline Co. of America (Fulton Beach Area, Aransas County, Tex.) (RR. District No. 4).	$11,250	6-8-67	[2] 6-8-67	11-8-67	[3] 15.0	[3] [4] 18.0	
RI67-475	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202, Attn: Donald K. Young.	55	5	do	16,500	6-19-67	[2] 6-19-67	11-19-67	[3] 15.0	[3] [4] 18.0	
RI67-476	Lamar Hunt, Trust Estate.	9	4	Natural Gas Pipeline Co. of America (Zoller Field, Calhoun County, Tex.) (RR. District No. 2).	7,200	6-20-67	[2] 6-20-67	11-20-67	[3] 15.0	[3] [4] 18.0	
RI67-477	William Herbert Hunt, Trust Estate.	11	5	Natural Gas Pipeline Co. of America (Fulton Beach Area, Aransas County, Tex.) (RR. District No. 4).	13,500	6-20-67	[2] 6-20-67	11-20-67	[3] 15.0	[3] [4] 18.0	

[1] The stated effective date is the date of filing.
[2] "Fractured" rate increase. Seller contractually due a rate of 22.0 cents per Mcf but filing 18.0 cents rate so as not to exceed ceiling established by Opinion No. 412.
[3] Pressure base is 14.65 p.s.i.a.
[4] Permanently certificated initial "in-line" price provided by Opinion No. 412.

Placid Oil Co. (Operator) et al., Hunt Oil Co., Lamar Hunt Trust Estate, and William Herbert Hunt Trust Estate (all referred to herein as Hunt Interests) propose rate increases from an initial "in-line" rate of 15 cents to 18 cents per Mcf for gas sold to Natural Gas Pipeline Co. of America, from the Fulton Beach Area and Zoller Field, Aransas and Calhoun Counties, Tex. (Railroad District Nos. 2 and 4). These sales were permanently certificated in Opinion No. 412 issued December 9, 1963. The proposed rate of 18 cents exceeds the 14 cents per Mcf increased rate ceiling for Texas Railroad District Nos. 2 and 4.

Placid Oil Co. (Operator) et al., requests waiver of a portion of the Commission's 30-day notice requirement to permit an effective date of July 1, 1967; and in the event the Commission suspends the proposed rate, that an additional day of the notice period be waived and that the rate be suspended for 1 day and be permitted to go into effect subject to refund on July 1, 1967. Hunt Oil Co., Lamar Hunt Trust Estate and William Herbert Hunt Trust Estate also request waiver of the 30-day notice requirement to permit their proposed rate increases to go into effect on June 15, 1967; and in the event the Commission suspends their rate increases that such rates be permitted to go into effect subject to refund on June 15, 1967. Good cause has not been shown for allowing the June 15, 1967, and July 1, 1967, effective dates requested by the Hunt Interests. We conclude that the proposed rate increases should be suspended for 5 months from the date of filing.

[F.R. Doc. 67-8153; Filed, July 17, 1967; 8:45 a.m.]

[Docket No. RI67-478]

PRENALTA CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JULY 7, 1967.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 23, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-478	Prenalta Corp. (Operator) et al., Post Office Box 2514, Casper, Wyo. 82601, Attn: James A. Masterson, Assistant Secretary.	1	[1] 2	Colorado Interstate Gas Co. (East Desert Springs Area, Sweetwater County, Wyo.)	$3,577	6-7-67	[2] 7-8-67	[3] 7-9-67	[7] 15.0	[4] [6] 17.25	

[1] Includes statement that B.t.u. content will be measured on a wet basis and at a pressure equivalent to 30 inches of mercury at 32° F.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Increase due to upward B.t.u. adjustment for 1160 B.t.u. gas.
[5] The pressure base is 14.65 p.s.i.a.
[6] Includes 2.25 cents per Mcf upward B.t.u. adjustment which is maximum allowed under terms of contract, as amended.
[7] Initial rate.

Prenalta Corp. (Operator) et al. (Prenalta) request a retroactive effective date of January 17, 1967, for their proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Prenalta's rate filing and such request is denied.

Prenalta has submitted a proposed increase involving the application of an upward B.t.u. price adjustment to a jurisdictional sale of gas from the East Desert Spring Area, Sweetwater County, Wyo., to Colorado Interstate Gas Co. (Colorado Interstate). The proposed rate increase is from a permanently certificated rate of 15 cents per Mcf to 17.25 cents per Mcf as a result of a 2.25 cents per Mcf B.t.u. adjustment for 1,160 B.t.u. gas.[2]

Deliveries under Prenalta's contract commenced on January 20, 1967. The gas is presently processed for liquids in Colorado Interstate's main extraction plant in Rawlins, Wyo., and the revenues derived from the sale of such liquids are credited against Colorado Interstate's cost of service in determining jurisdictional rates.

Prenalta's contract was executed on August 31, 1966, subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61–1. Although the total rate of 17.25 cents per Mcf exceeds both the increased rate ceiling of 12.7 cents and the initial service ceiling of 15 cents for Wyoming, the rate exceeds the initial ceiling by the 2.25 cents upward B.t.u. adjustment. We conclude in these circumstances that Prenalta's proposed rate increase should be suspended for one day from July 8, 1967, the date of expiration of the statutory notice.

[F.R. Doc. 67–8154; Filed, July 17, 1967; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Temporary Reg. E–10]

SECRETARY OF COMMERCE

Federal Property Management Regulations; Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Commerce to operate an automatic data processing service center.

2. *Effective date.* This delegation of authority is effective immediately.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly section 111 thereof, authority is hereby delegated to the Secretary of Commerce to operate an automatic data processing service center at the National Bureau of Standards.

b. The Secretary of Commerce may redelegate this authority to any officer, official, or employee of the Department of Commerce.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, or employees of the General Services Administration.

Dated: July 11, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 67–8211; Filed, July 17, 1967; 8:45 a.m.]

[2] Prenalta's contract previously accepted by the Commission provides for proportional upward and downward B.t.u. adjustments from a base of 1,000 B.t.u.'s, with such adjustment not to exceed a plus or minus 2.25 cents per Mcf.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN PAKISTAN

Entry or Withdrawal From Warehouse for Consumption

JULY 13, 1967.

On November 21, 1966, the U.S. Government in furtherance of the objectives of, and under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a comprehensive agreement with the Government of Pakistan concerning exports of cotton textiles from Pakistan to the United States over a 4-year period beginning on July 1, 1966. On July 3, 1967, this agreement was amended by an exchange of notes constituting a new 4-year agreement beginning retroactively on July 1, 1966.

The second year of the amended agreement begins on July 1, 1967, and extends through June 30, 1968. Specific limits are provided for Categories 9, 15, 18/19, 22, parts of 26, part of 31, and 41/42.

By a letter to the Commissioner of Customs dated May 29, 1967, the Chairman of the President's Cabinet Textile Advisory Committee amended the directive of December 6, 1966, as amended, which had established levels of restraint for the period July 1, 1966, through June 30, 1967. The letter of May 29, 1967, provided for certain increases in the levels of restraint applicable to Categories 9, 15, 22, part of 26, and 41/42, in order to implement the provisions of paragraph 5 of the agreement of November 21, 1966, and to resolve certain problems that had arisen in the implementation of the first year of the agreement. In announcing this action, it was noted that, "A portion of the entries provided for herein may be charged against the levels applicable under the second year of the agreement, beginning July 1, 1967."

Accordingly, there is published below a letter of June 30, 1967, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs providing new designated adjusted levels of restraint for the indicated categories for the second year of the agreement, the 12-month period beginning July 1, 1967. These levels are subject to further adjustment in accordance with paragraph 5 of the agreement and in connection with the completion of administrative arrangements relating to the implementation of the first year of the agreement of November 21, 1966, as amended.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

WASHINGTON, D.C. 20230,
June 30, 1967.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, in accordance with the bilateral cotton textile agreement of November 21, 1966, between the United States and Pakistan, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed, effective as soon as possible and for the 12-month period beginning July 1, 1967, and extending through June 30, 1968, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9, 15, 18/19, 22, parts of 26, part of 31, and 41/42, produced or manufactured in Pakistan, in excess of the following designated adjusted levels of restraint:

Category		12-month level of restraint	Adjusted 12-month level of restraint [1]
9	square yards	29,925,000	27,625,000
15	do	2,625,000	2,125,000
18/19 & parts of 26 [2]	do	10,500,000	10,500,000
22	do	3,570,000	3,070,000
Part of 26 [3]	do	3,675,000	2,925,000
Part of 26 (dock) [4]	do	7,350,000	7,350,000
Part of 31 (Only T.S.U.S.A. No. 366.2740)	pieces	4,095,000	4,095,000
41/42	dozen	349,069	297,069

[1] These levels of restraint reflect an administrative arrangement between the Governments of the United States and Pakistan under paragraph 12 of the agreement of Nov. 21, 1966.

[2] In Category 26, Only T.S.U.S.A. Nos.:
320...34 322...34 327...34
321...34 326...34 328...34

[3] Only T.S.U.S.A. Nos.:
320...88 325...88 330...88 323...92 326...92
321...88 326...88 331...88 324...92 329...92
322...88 327...88 320...92 325...92 330...92
323...88 328...88 321...92 326...92 331...92
324...88 329...88 323...92 327...92

[4] Only T.S.U.S.A. Nos.:
320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
326...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08

The following instructions shall apply in carrying out this directive:

(1) Subject to (3) below, entries of cotton textiles and cotton textile products in Categories 9, 15, 22, part of 26,[3] and 41/42, produced or manufactured in Pakistan, shall to the extent of any unfilled balances, be first charged against the adjusted special 12-month levels of restraint provided therefor in the directive of May 29, 1967, before being charged against the levels established for such goods in this letter.

(2) Entries of cotton textiles and cotton textile products in Categories 18/19, part of

26,[2] part of 26 (duck),[3] part of 31 (only T.S.U.S.A. No. 366.2740), produced or manufactured in Pakistan and which have been exported to the United States prior to July 1, 1967, shall, to the extent of any unfilled balances, be charged against the levels established for such goods for the period July 1, 1966, through June 30, 1967. In the event that the level of restraint established for the period July 1, 1966 through June 30, 1967 has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

(3) Cotton textiles and cotton textile products in Categories 15, parts of 26 (T.S.U.S.A. Nos. 321....34, 322....34, 327....34, and 326....34 only) and 41/42, produced or manufactured in Pakistan and which have been exported to the United States from Pakistan prior to July 1, 1966, shall not be subject to this directive.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on July 7, 1966 (31 F.R. 9310).

In carrying out the above directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The levels of restraint set forth above are subject to adjustment pursuant to the bilateral agreement of November 21, 1966, as amended, between the Governments of the United States and Pakistan which provides in part that within the aggregate and applicable group limits of the agreement, limits on certain categories may be exceeded by not more than 5 percent. Any adjustments provided for in the bilateral agreement will be made in further directives to you, as may be appropriate.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textiles and cotton textile products from Pakistan have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

A. B. TROWBRIDGE,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 67-8206; Filed, July 17, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4318]

AMERICAN GAS CO. AND AMERICAN GAS COMPANY OF WISCONSIN, INC.

Fourth Supplemental Order Regarding Issue and Sale of Notes to Banks

JULY 12, 1967.

American Gas Co. ("American"), a registered holding company, and its public-utility subsidiary company, American Gas Co. of Wisconsin, Inc. ("Wisconsin"), Omaha, Nebr., have filed with this Commission, pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act"), a fourth post-effective amendment to the amended application-declaration in this matter regarding the following proposed transactions.

Wisconsin has outstanding 6¼ percent promissory notes in the amount of $450,000, maturing on June 30, 1967, all of which are held by Harris Trust & Savings Bank, Chicago, Ill. Such notes were issued, renewed, or extended pursuant to orders of the Commission in this proceeding dated October 26, 1965, February 10, 1966, May 2, 1966, and November 1, 1966 (Holding Company Act Release Nos. 15335, 15398, 15459, and 15591). The company now proposes to renew or extend said notes for an additional period or periods of not to exceed in the aggregate 180 days from June 30, 1967. The notes will bear interest at a rate of not in excess of 1 percent over the prime rate in effect at the time of renewal or extension.

Wisconsin also proposes to issue and sell, from time to time, to a bank or banks additional notes in an aggregate amount not exceeding $100,000 to be outstanding at any one time. These notes, as issued or as renewed or extended, will mature no later than December 31, 1967, and will bear interest at a rate of not in excess of 1 percent over the prime rate in effect at the time of issuance, renewal, or extension. The additional notes are to provide funds required for property additions, operating expenses, and the payment of interest on outstanding debt.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Due notice having been given of the filing of said fourth post-effective amendment to the amended application-declaration in the manner prescribed in Rule 23 promulgated under the Act (Holding Company Act Release No. 15769) and no hearing having been requested of or ordered by the Commission; the Commission finding that the applicable standards of the Act and rules promulgated thereunder are satisfied and that no adverse findings are necessary; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said amended application-declaration, as amended by the fourth post-effective amendment, be granted and permitted to become effective:

It is ordered, Pursuant to the applicable provisions of the Act and rules thereunder, that said amended application-declaration, as amended by the fourth post-effective amendment, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule 24 promulgated under the Act.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-8218; Filed, July 17, 1967; 8:45 a.m.]

[24FW-1395]

AUTROPONICS, INC.

Order Canceling Hearing and Making Suspension Permanent

JULY 12, 1967.

I. The Commission issued an order on January 23, 1967, temporarily suspending the exemption under section 3(b) of the Securities Act of 1933, as amended, and Regulation A promulgated thereunder, for a proposed offering by Autroponics, Inc., 21 Turtle Creek Square, Dallas, Tex., of 118,300 shares of its $1 par value common stock at a price of $1.875 per share, or an aggregate offering price of $221,812.50. A written request for a hearing in this matter was received on February 23, 1967, and a hearing was ordered by the Commission to be held on June 26, 1967, which was subsequently postponed to July 24, 1967, because of continuing discussions between counsel.

II. The allegations contained in the order dated January 23, 1967, which formed the basis for the entry of the temporary suspension of the Regulation A exemption of Autroponics, Inc., are as follows:

A. The offering circular and notification contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose, adequately and accurately, the highly speculative nature of the issuer's proposed business and in particular:

(a) The unsuccessful history of hydroponic grass when used for animal feed and the reasons for this lack of success;

(b) The fact that hydroponic grass has no recognized advantage as an animal feed when supplied to an already balanced ration;

(c) The fact that hydroponic grass' value where added to an inadequate ration must be balanced against the high cost of amortizing the investment in necessary equipment;

(d) The unsuccessful history of Hydroponics, Inc., of Indianapolis, Ind., a company for which the president of the issuer formerly worked and the reasons for this lack of success.

2. The failure to disclose adequately and accurately:

(a) The number of shares issued to management for (1) cash, and for (2) services, including the prices paid in cash for such shares, and the basis for computing the value of the services for which shares were issued;

(b) The dilution that will occur in the equity represented by shares which might be purchased by the public under this notification and the correlative appreciation in the equity represented by the shares held by officers, directors and other present stockholders, at no cost to such persons.

B. The terms and conditions of Regulation A have not been complied with in that:

1. The aggregate offering price of the proposed offering when computed in accordance with the requirements of Rules 253 and 254 exceeds the $300,000 ceiling permissible under section 3(b) of the Securities Act and Regulation A thereunder.

2. Items 2(c) and 9(b) of Form 1–A inaccurately reflect the holdings of and transactions in the shares of the issuer by persons specified in such items.

3. The financial statements included in the offering circular fail to conform to the requirements of Item 11 of Schedule I.

C. The offering would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. Autroponics, Inc., filed with the Commission on July 3, 1967, a request to withdraw its request for a hearing and the Division of Corporation Finance and the Fort Worth Regional Office have not objected thereto. Therefore,

It is ordered, That the hearing in this matter now scheduled for July 24, 1967, at 10 a.m. at the Fort Worth Regional Office, 503 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, Tex. 76012, be, and it hereby is, canceled.

It is further ordered, Pursuant to the provisions of Rule 261 of Regulation A adopted under section 3(b) of the Securities Act of 1933, as amended, that the temporary order of suspension heretofore entered in these proceedings be, and it hereby is, made permanent.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67–8219; Filed, July 17, 1967; 8:46 a.m.]

[70–4503]

CENTRAL INDIANA GAS CO., INC.

Notice of Proposed Issue and Sale of Short-Term Notes to Bank

JULY 12, 1967.

Notice is hereby given that Central Indiana Gas Co., Inc. ("Central"), 300 East Main Street, Muncie, Ind. 47305, a public-utility subsidiary company of American Natural Gas Co., a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Central presently has outstanding notes payable to banks in an aggregate principal amount of $4 million of which $1 million matures August 19, 1967, $2 million matures September 24, 1967, and $1 million matures November 21, 1967. Central proposes to issue and sell, during the period from August 15, to November 21, 1967, its unsecured promissory notes to the American Fletcher National Bank & Trust Co. ("American") in an aggregate principal amount of $5 million. Such notes will be issued and sold to pay Central's presently outstanding $4 million of notes and to partially finance its 1967 construction, estimated at $2,800,000.

Each note proposed to be issued by Central will bear interest at the prime rate at American on the date of its issue; will mature on July 31, 1968; and will be prepayable at any time without penalty. The declaration states that the net proceeds from the sale by Central of any permanent debt securities will be applied in total payment of or in reduction of all notes then outstanding and, thereupon, any amount of promissory notes which Central may be authorized by this Commission to issue and sell under this declaration will cease to be effective or will be reduced by the amount of such net proceeds.

The declaration states that when a recently passed law of the State of Indiana becomes effective, the approval of the Public Service Commission of Indiana will be unnecessary for the issue of notes having a maturity of less than 12 months. In anticipation of the effective date of such law and in order to reduce State filing fees, which amount to $2,500 per $1 million of securities authorized, Central has filed an application with the Indiana commission to issue only $1 million of the proposed notes and to use the proceeds derived from the sale thereof to pay its $1 million note maturing August 19, 1967. In this declaration Central initially requests that this Commission's authorization be limited to the issue and sale of notes in an aggregate amount not in excess of $1 million and states that, prior to August 15, 1967, it will file, by amendment to this declaration, an appropriate order of the Indiana commission authorizing the issue of said $1 million of notes or an appropriate statement that no such authorization is necessary. In addition, Central will file by amendment to this declaration supplemental requests for authority to issue and sell the remaining balance of $4 million of proposed notes which notes may be issued and sold only pursuant to appropriate order of this Commission.

The fees and expenses to be incurred in connection with the proposed transactions will be filed by amendment. The declaration states that the Public Service Commission of Indiana may, at this time, be deemed to have jurisdiction over the proposed issue of notes and that a copy of that Commission's order authorizing the issuance will be filed by amendment. The declaration further states that no other State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than August 14, 1967, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67–8220; Filed, July 17, 1967; 8:46 a.m.]

[812–2144]

INVESTORS DIVERSIFIED SERVICE, INC., ET AL.

Notice of Filing of Application for Order of Exemption

JULY 12, 1967.

In the matter of Investors Diversified Services, Inc., 800 Investors Building, Minneapolis, Minn.; Investors Mutual, Inc., Investors Selective Fund, Inc., Investors Stock Fund, Inc., Investors Variable Payment Fund, Inc., 100 Roanoke Building, Minneapolis, Minn.; Alleghany Corp., 350 Park Avenue, New York, N.Y.

Notice is hereby given that Investors Mutual, Inc. ("Mutual"); Investors Selective Fund, Inc. ("Selective"); Investors Stock Fund, Inc. ("Stock"); Investors Variable Payment Fund, Inc. ("Variable"); (collectively "the Funds"), all registered under the Investment Company Act of 1940 ("the Act") as open-end management investment companies, and their investment adviser, Investors Diversified Services, Inc. ("IDS") and Alleghany Corp. ("Alleghany"), a controlling person of IDS, have filed an application pursuant to section 6(c) of the Act for an order of exemption from section 15(a) of the Act to the extent necessary to permit IDS to act as investment adviser of the Funds pursuant to the re-executed advisory contracts between IDS and the Funds, without stockholder approval of the reexecution of such contracts, for the period commencing with the appointment and qualification of Allan P. Kirby, Jr. and Fred M. Kirby as guardians of the property

of their father, Allan P. Kirby, Sr., and ending on May 15, 1968. All interested persons are referred to the application filed with the Commission for a statement of the representations stated therein, which are summarized below.

The application states that Allan P. Kirby, Sr., beneficial owner of approximately 60.63 percent of the outstanding common stock of Alleghany, has been incapacitated by illness and on June 8, 1967, his sons, Allan P. Kirby, Jr. and Fred M. Kirby, filed an application for appointment of themselves as guardians of the property of their father. An assignment, as that term is defined in section 2(a)(4) of the Act, of the existing contracts will be occasioned by the transfer from Kirby, Sr., to his sons of 60.63 percent of the outstanding common stock of Alleghany, which, in turn, owns 46.76 percent of the outstanding voting stock of IDS. IDS proposes to act as investment adviser to the Funds pursuant to the reexecuted advisory contracts between IDS and the Funds, in accordance with resolutions of the boards of the Funds adopted on June 15, 1967. The application states that the advisory contracts will be submitted to the stockholders of the Funds at their next annual meetings to be held on May 15, 1968, or in the event that a special meeting of any of the Funds is held prior to that date the advisory contract will be submitted for shareholder approval at such meeting.

In support of the requested exemption, the applicants represent that the shareholders of Mutual, Stock and Variable approved by an overwhelming majority their advisory agreements with IDS at meetings held on May 10, 1967, and that the agreement between IDS and Selective was similarly approved at the annual meeting of shareholders held May 11, 1966, and was continued and renewed by the board of directors effective May 11, 1967. The application also states that the cost of holding special meetings of such Fund stockholders would be approximately $200,000 and under the circumstances no substantial benefit to the shareholders would result from such meetings. The application further represents that the appointment of the Messrs. Allan P. Kirby, Jr., and Fred M. Kirby as guardians is essentially an involuntary act necessitated by their father's illness.

The Messrs. Kirby represent in the application as amended that, as guardians of their father's property, they will use their best efforts to continue the same operating and personnel practices of IDS with relation to the Funds as were agreed to by their father and set forth in the proxy statements of September 25, 1963.

Section 15(a) of the Act requires, among other things, that an investment advisory contract provide for its automatic termination in the event of its assignment by the investment adviser. It also provides, in pertinent part, that it shall be unlawful for any person to act as an investment adviser of a registered investment company, except pursuant to a written contract and unless the terms of such contract or agreement and any renewal thereof have been approved by a vote of a majority of the outstanding voting securities of such registered investment company. However, an investment advisory contract may be renewed by a vote of a majority of the directors of said registered investment company including a majority of the directors who are not parties to such contract or agreement or affiliated persons of any such party.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 31, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-8221; Filed, July 17, 1967; 8:46 a.m.]

[File No. 70-4504]

MONONGAHELA POWER CO.

Notice of Proposed Issue and Sale of Principal Amount of First Mortgage Bonds; and Shares of Preferred Stock at Competitive Bidding and Charter Amendment

JULY 12, 1967.

Notice is hereby given that Monongahela Power Co. ("Monongahela"), 1310 Fairmont Avenue, Fairmont, W. Va. 26554, a registered holding company and an electric utility subsidiary company of Allegheny Power System, Inc., also a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 thereof and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Monongahela proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $15 million principal amount of its first mortgage bonds, ____ percent series due August 1, 1997. The interest rate of the new bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Monongahela (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The new bonds will be issued under the indenture dated as of August 1, 1945, between Monongahela and First National City Bank, New York, N.Y., Trustee, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated as of August 1, 1967. The new bonds will be issued only as registered bonds without coupons.

Monongahela also proposes to amend its charter to increase the authorized shares of cumulative preferred stock from 190,000 to 240,000 and to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 50,000 shares of its cumulative preferred stock, Series D, par value $100 per share. The dividend rate of the new preferred shares (which will be a multiple of $0.04) and the price, exclusive of accrued dividends, to be paid Monongahela (which will not be less than $100 nor more than $102.75 per share) will be determined by the competitive bidding. The net proceeds from the sale of the new bonds and preferred stock will be used to finance in part the construction program of Monongahela and its subsidiary company for 1967, estimated at $31 million and to pay $13,500,000 of short-term notes incurred therefor.

It is stated that The Public Utilities Commission of Ohio has jurisdiction over the issue and sale of the new bonds and preferred stock and that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The fees and expenses to be paid in connection with the proposed transactions are estimated at $38,000 for the bonds and $21,000 for the preferred stock, including accountants' fees of $2,600 and $900, respectively and legal fees of $10,000 and $6,000 respectively. The fees of counsel for the underwriters, to be paid by the successful bidders, are estimated at $8,000 in respect of the bonds and $6,000 in respect of the preferred stock.

Notice is further given that any interested person may, not later than August 1, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-8222; Filed, July 17, 1967; 8:46 a.m.]

[70-4506]

PASADENA HYDRAULICS, INC., AND PENNZOIL CO.

Notice of Proposed Disposition of Assets in Exchange for Securities

JULY 12, 1967.

Notice is hereby given that Pasadena Hydraulics, Inc. ("Pasadena"), 1433 Lidcombe Avenue, El Monte, Calif. 91733, a nonutility subsidiary of Pennzoil Co. ("Pennzoil"), 900 Southwest Tower, Houston, Tex. 77002, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9 and 10 of the Act and Rule 23 thereunder as applicable to the proposed transactions. All interested persons are referred to the application which is summarized below, for a complete statement of the proposed transactions.

Pasadena manufactures and sells hydraulic presses. Approximately 67 percent of its outstanding capital stock is owned by Pennzoil. The proposed transactions involve (1) the sale by Pasadena of its business and properties to the Rucker Co. ("Rucker"), a nonaffiliated California corporation, in exchange for 39,000 shares of common stock, no par value, of Rucker (thereupon representing approximately 3 percent of Rucker's outstanding common stock) and the assumption by Rucker of substantially all of Pasadena's liabilities; and (2) the dissolution of Pasadena under the laws of the State of California and the distribution to Pasadena's stockholders (including Pennzoil) in accordance with their respective interests of all shares of common stock of Rucker received by Pasadena in the proposed sale. The retainability under the Act of the Rucker stock by Pennzoil will depend on the outcome of the pending section 11(b) proceeding with respect to Pennzoil and its subsidiary companies (Holding Company Act Release No. 15475).

Pasadena was incorporated in 1953. Its issued and outstanding capital stock consists of 70 shares of capital stock, $100 par value, of which 47 shares are beneficially owned by Pennzoil and 23 shares are beneficially owned by Mr. and Mrs. William H. Hutchison, California residents. As of March 31, 1967, Pasadena had total assets of $1,337,000 per books, of which $1,078,000 consisted of current assets. Hutchison is President, a director and stockholder of Pasadena, but is not affiliated with Pennzoil, or any of its subsidiary companies, in any other manner. Hutchison has advised Pasadena and Pennzoil that he has no affiliation with Rucker; however, it is contemplated that Hutchison will become an employee of Rucker upon consummation of the proposed sale. The application states that the terms of the proposed sale were determined by arm's-length bargaining and negotiation between Hutchison and the executive officers of Rucker commencing in April, 1967.

Rucker was incorporated in California in 1950. It is engaged, directly and through its subsidiaries, in the design, development, manufacture and sale of electronic, electric, hydraulic and pneumatic control systems and components, safety electrical equipment, and drilling equipment for the petroleum industry, as well as distribution of hydraulic control system components manufactured by others. As of March 31, 1967, Rucker had total assets of $13,787,774 per books, of which $11,172,686 consisted of current assets. Its authorized capital stock consists of 3 million shares of common stock, no par value, of which 1,637,596 shares were issued and outstanding on June 1, 1967. Rucker's common stock is actively traded in the over-the-counter market and in May, 1967 Rucker and certain of its stockholders made a public offering of 256,000 shares of common stock of Rucker at a price of $34 per share. At June 20, 1967, the common stock of Rucker was quoted on the over-the-counter market at 39¼ bid and 39¾ asked.

It is stated that no fees, commissions or expenses are anticipated by Pennzoil in connection with the proposed transactions other than legal fees estimated not to exceed $500. The fees, commissions and expenses anticipated by Pasadena in connection with the proposed transactions are estimated at $19,450 including legal fees of $10,000. It is further stated that no State commission or any Federal commission, other than this Commission, has jurisdiction over the proposed transactions, except that Rucker is obligated to obtain an appropriate permit from the Commissioner of Corporations of the State of California prior to issuance of its common stock to Pasadena.

Notice is further given that any interested person may, not later than July 27, 1967, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the above-stated addresses, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-8223; Filed, July 17, 1967; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[4th. Rev. S.O. 562; ICC Order No. 224-A]

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 224 (the Chicago, Rock Island & Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

(a) ICC Order No. 224 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 10 a.m., July 12, 1967.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Divi-

sion, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 12, 1967.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 67-8251; Filed, July 17, 1967; 8:48 a.m.]

[Notice 420]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 13, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 55236 (Sub-No. 151 TA) (Correction), filed July 3, 1967, published in FEDERAL REGISTER, issue of July 7, 1967, corrected, and republished as corrected, this issue. Applicant: OLSON TRANSPORTATION COMPANY, 1970 South Broadway, Post Office Box 1187, Green Bay, Wis. 54306. Applicant's representative: G. R. Richmond (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Port Edwards, Wis., to points in Illinois, Indiana, Iowa, Michigan, and Minnesota; for 180 days. NOTE: The purpose of this republication is to include acids in the commodity description, previously inadvertently omitted. Supporting shipper: Wyandotte Chemicals Corp., Wyandotte, Mich. 48192, William H. Wright, transportation manager, rates. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 105881 (Sub-No. 39 TA), filed July 10, 1967. Applicant: M.R. & R. TRUCKING COMPANY, 715 North Ferdon Boulevard, Post Office Box 727, Crestview, Fla. 32536. Applicant's representative: Dan R. Schwartz, 1730 American Heritage Life Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Tallahassee, Fla., and Albany, Ga.: From Tallahassee, over U.S. Highway 319 to Thomasville, Ga.; thence over U.S. Highway 19 to Albany, and return over the same route, serving Moultrie, Ga., and points in Thomas County, Ga., as intermediate or off-route points; (2) between Tampa, Fla., and Thomasville, Ga.: From Tampa over U.S. Highway 41 to Dunnellon, Fla., thence over Florida Highway 336 to Lebanon Station, Fla., thence over U.S. Highway 19 to Thomasville, and return over the same route, serving all points between and including Dunnellon and Monticello as intermediate points; (3) between Dunnellon, Fla., and Jacksonville, Fla.: From Dunnellon over U.S. Highway 41 to Archer, Fla., thence over U.S. Highway 24 to Waldo, Fla., thence over U.S. Highway 301 to Maxville, Fla., thence over Florida Highway 228 to Jacksonville, and return over the same route, serving all points between and including Dunnellon and Gainesville as intermediate points; (4) between Archer, Fla., and Cedar Key, Fla., over Florida Highway 24, and return over the same route, serving all intermediate points; (5) between Chiefland, Fla., and Williston, Fla., over U.S. Highway Alternate 27, and return over the same route, serving all intermediate points; (6) between Greenville, Fla., and Lake City, Fla., over U.S. Highway 90, and return over the same route, serving all points between and including Greenville and Lake City as intermediate points and the plantsite of Occidental Corp. located near White Springs, as an off-route point, in connection with carrier's otherwise authorized route between Jacksonville and Tallahassee; (7) between Perry, Fla., and Lake City, Fla.: From Perry over U.S. Highway 27 to Branford, Fla., thence over Florida Highway 247 to Lake City, and return over the same route, serving Mayo, Fla., as an intermediate point; (8) between Live Oak, Fla., and Mayo, Fla., over Florida Highway 51, and return over the same route, serving no intermediate points; and (9) between Tampa, Fla., and junction Interstate Highway 75 and U.S. Highway 90 near Lake City, Fla., over Interstate Highway 75, and return over the same rpute, serving no intermediate points but serving junction Interstate Highway 75 and Florida Highway 24 near Gainesville, Fla., for the purpose of joinder only. Restriction: Routes (1) through (9) specified herein may not be combined or tacked with other authorized routes of the carrier for the purpose of performing a direct single line service: (A) From, to or through more than one of the points of Atlanta, Ga., Jacksonville, Fla., or Tampa, Fla., including the respective commercial zones of each; or (B) between Atlanta, Ga., including the commercial zone thereof, on the one hand, and, on the other, any other point in Georgia located on routes (1) through (9), including shipments interchanged at Atlanta for movement to or from points beyond; or (C) from Jacksonville, Fla., to any point in Georgia located on routes (1) through (9); or (D) from Albany, Ga., to Jacksonville, Fla., including the commercial zones of each. NOTE: Applicant states that it intends to tack the authority here applied for to authority held by it in MC 105881 and subs thereunder. Applicant also proposes to interline with other carriers at Atlanta, Ga., Dothan, Ala., Jacksonville, Pensacola, and Tampa, Fla. Supporting shippers: There are 74 shippers' supporting statements attached to application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 110411 (Sub-No. 4 TA), filed July 10, 1967. Applicant: J. C. BAKER, doing business as NORTHEAST ARKANSAS TRANSPORTATION CO., Drawer D, 408 South Main Street, Leachville, Ark. 72438. Applicant's representative: Joseph B. Hendrix, 1805 South Harrison, Little Rock, Ark. 72204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products*, from St. Louis, Mo., to points in Clay, Jackson, Independence, Lawrence, Randolph, and Sharp Counties, Ark; for 180 days. NOTE: Applicant states that it intends to tack with authority under MC 110411. Supporting shippers: Krey Packing Co., St. Louis, Mo.; and St. Louis Independent Packing Co., St. Louis, Mo. Send protests to: D. R. Partney, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, Little Rock, Ark. 72201.

No. MC 110420 (Sub-No. 549 TA), filed July 10, 1967. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible animal greases and inedible tallow*, in bulk, in tank vehicles, from Fort Wayne and New Carlisle, Ind., to Battle Creek, Mich.; for 150 days. Supporting shipper: Davidson Commission Co., 141 West Jackson Boulevard, Chicago, Ill., George Lewis, vice president. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 114106 (Sub-No. 56 TA), filed July 10, 1967. Applicant: MAYBELLE TRANSPORT COMPANY, 1820 South Main Street, Post Office Box 573, Lexing-

ton, N.C. 27292. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Muriatic acid*, in bulk, in tank vehicles, from Greer, S.C., to Slater, S.C., on traffic having a prior movement by rail; for 150 days. Supporting shipper: Stauffer Chemical Co., 380 Madison Avenue, New York, N.Y. 10017. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C. 28202.

No. MC 114822 (Sub-No. 9 TA), filed July 10, 1967. Applicant: RUDOLPH PAFFRATH, WILLIAM PAFFRATH and THOMAS PAFFRATH, doing business as PAFFRATH BROS., 1415 Clinton Street, Linden, N.J. 07036. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, in dump trailers, between Jersey City, Newark, and Elizabeth, N.J., on the one hand, and, on the other, Easton, Conshohocken, Philadelphia, and Stroudsburg, Pa.; for 150 days. Supporting shippers: Harris Fiestal & Son, Inc., 650 Palisade Avenue, Englewood Cliffs, N.J. 07632; the Oxman Steel Corp., 1920 Chestnut Street, Philadelphia, Pa. 19103; United States Gear Manufacturing Corp., 2401 Third Avenue, Bronx, N.Y. 10451; and Woodward Scrap Iron & Metal Corp., 125 Woodward Street, Jersey City, N.J. 07304. Send protests to: Walter J. Grossman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 129226 TA, filed July 10, 1967. Applicant: TO-JON TRUCKING, INC., 6 Verly Court, Bethpage, N.Y. 11714. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stationery*, from the plantsite of Orlando Paper Corp., Oceanside, N.Y., to New York, N.Y., and points in Passaic, Bergen, Hudson, Essex, and Union Counties, N.J.; under contract with Orlando Paper Corp.; for 180 days. Supporting shipper: Orlando Paper Corp., 3415 Hampton Road, Oceanside, N.Y. 11572. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-8252; Filed, July 17, 1967; 8:48 a.m.]

[General Emergency Transport Order 1-67]

PREFERENCE AND PRIORITY FOR THE TRANSPORTATION OF PASSENGERS AND FREIGHT NECESSARY TO THE NATIONAL DEFENSE, HEALTH, AND SAFETY

Pursuant to Title 1 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et seq.), Executive Order 10480, as amended, and Executive Order of July 16, 1967; and it being deemed necessary in the public interest and to promote the national defense, health, and safety by reason of the short supply of domestic transportation equipment, facilities, and service due to the current nationwide cessation of railroad service, to regulate, allocate, and promote the use of motor and inland water carrier equipment, facilities, and service, for the preferential transportation of passengers and property necessary to the national defense, health, and safety, and it being impractical to consult with industry representatives due to the necessity of immediate action: *It is hereby ordered*, That:

SECTION 1. *Transportation of military and other freight necessary to promote the national defense, health, and safety.* Every motor and inland water carrier engaged in the transportation of property shall give preference and priority over all other traffic to the transportation of:

(a) All materials moving on Government bills of lading issued by military transportation officers;

(b) Materials moving on commercial bills of lading specifically certified as essential by the Department of Defense;

(c) Essential U.S. mail;

(d) Fresh meats and poultry;

(e) Fresh eggs and milk;

(f) Fresh fruits and vegetables;

(g) Fresh fish and shellfish;

(h) Pharmaceuticals, biologicals, surgical textiles and instruments;

(i) Hospital and sickroom supplies and equipment, including diagnostic devices and essential support utilities;

(j) Professional dental supplies and equipment;

(k) Medical laboratory supplies and equipment; and

(l) Water and sewage processing and handling supplies and equipment, including chlorine, alum, lime, sulphate of iron, soda ash, and similar chemicals and equipment essential to the continuity of operation of water and sewage installations.

Where necessary to accord such preference and priority, said carriers shall limit or restrict the amount of other freight transported on any motor vehicle or vessel operated by it.

SEC. 2. *Transportation of essential Government personnel.* Every motor carrier engaged in the transportation of passengers shall give preference and priority over all other traffic to the transportation of essential Government personnel, including military passengers, traveling on Government travel requests.

SEC. 3. *Applicability.* The provisions of this order shall apply to all for-hire motor and inland water carriers engaged in intrastate, interstate, and foreign commerce within the United States, including the District of Columbia, but excluding the States of Alaska and Hawaii, and the territories and possessions of the United States.

SEC. 4. *Definitions.* As used in this order:

(a) The term "motor carrier" means any person who engages in the transportation of passengers or property by motor vehicle for compensation;

(b) The term "inland water carrier" means any person who engages in the transportation of property by vessel for compensation;

(c) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof; and

(d) The term "vessel" means any watercraft or other artificial contrivance of whatever description which is used, or is capable of being, or is intended to be, used as a means of transportation by water.

SEC. 5. *Communications.* Communications concerning this order should refer to "General Emergency Transport Order 1-67" and should be addressed to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

This General Emergency Transport Order 1-67 shall become effective July 16, 1967, and shall remain in full force and effect during the current emergency and until further order.

Issued at Washington, D.C., this 16th day of July 1967.

[SEAL] WILLIAM H. TUCKER,
Chairman,
Interstate Commerce Commission.

[F.R. Doc. 67-8344; Filed, July 17, 1967; 11:01 a.m.]

[Ex Parte No. MC-64]

[General Temporary Order No. 4]

TEMPORARY AUTHORITY TO TRANSPORT PASSENGERS AND PROPERTY BY MOTOR VEHICLE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D.C., on the 16th day of July 1967.

The Interstate Commerce Commission having under consideration the urgent need for motor carrier services due to the cessation of normal railroad transportation occasioned by work stoppages, the national transportation policy, the public interest, and, among others, sections 202(a), 204(a)(6), and 210a(a) of the Interstate Commerce Act, and

It appearing, that due to a labor dispute, the common carriers by railroad are unable to transport passengers and property tendered to them; and that an emergency exists in all sections of the United States requiring immediate action on the part of the Commission to make provision for adequate transportation service in the interest of the public and the national defense;

It further appearing, that there exists an immediate and urgent need for additional motor carrier service to supplement temporarily the transportation facilities of the Nation for the movement of military and other freight, and passengers;

And it further appearing, that the present transportation emergency and the immediate need for maximum utilization of motor carrier facilities, equipment, and service have made it necessary for the Commission to provide and authorize a more flexible method whereby motor carriers, and other persons, may obtain temporary authorizations to render the required motor service necessary in the public interest and to the national defense;

It is ordered, That pursuant to section 210a(a) of the Interstate Commerce Act (49 U.S.C. 310a(a)) all persons who shall apply to any regional director or district supervisor of the Commission's Bureau of Operations (30 F.R. 10069) are hereby granted temporary authority to transport passengers or property by motor vehicle for a period of not more than 30 days to the extent and scope that such regional director or district supervisor shall certify that due to the existing transportation emergency, there is an immediate and urgent need for the service applied for, and that there is no available carrier service capable of meeting such need;

It is further ordered, That the grant of such temporary authority be, and it is hereby, conditioned upon satisfying the said regional director or district supervisor of full compliance by the grantee with all applicable statutory and Commission requirements concerning tariff publications, evidence of security for the protection of the public, and designation of agents for service of process, and further conditioned upon such tariff publications quoting rates, fares, and charges no lower than those of existing rail, water, or motor carriers in the territory in which the operations are to be authorized;

It is further ordered, That temporary authority granted pursuant to this order shall expire as of the first midnight after rail carrier service shall have been reinstituted, except as to passengers or property, the transportation of which was begun prior to that time;

It is further ordered, That this order shall become effective on the 16th day of July 1967.

And it is further ordered, That notice of this order shall be given to motor carriers, other parties of interest, and to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-8345; Filed, July 17, 1967; 11:01 a.m.]

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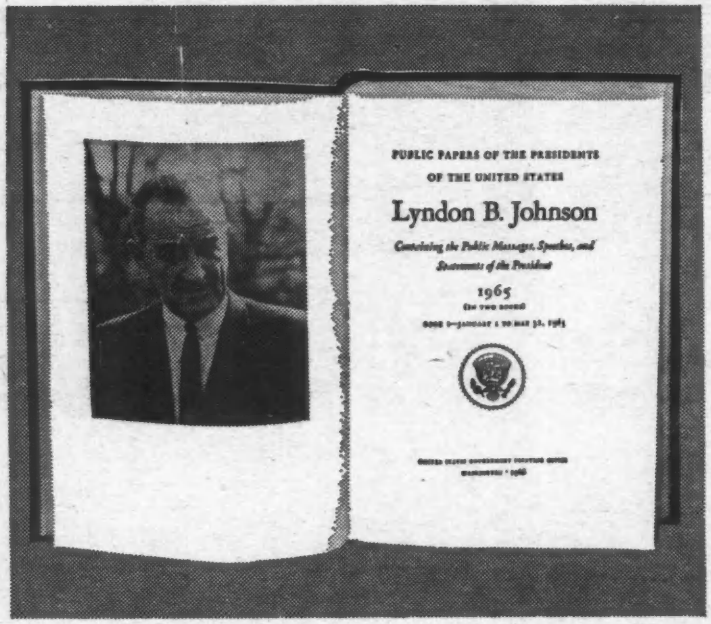

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